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STATE AND GOVERNMENT
IN ANCIENT INDIA

From earliest times to c, 1200 A.D,

By

Dr. A. S. Altekar, M. A., LL. B., D. Litt.

MANINDRA CHANDRA NANDI PROFESSOR AND HEAD OF THE
DEPARTMENT OF ANCIENT INDIAN HISTORY AND CULTURE
Banaras Hindu University

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question of the ownership of land has been critically examined. Taxes on commerce and industry have also been considered. The chapter concludes with a discussion of the items of State expenditure. Epigraphical sources have supplied rich material for this chapter.

Chapter XIII deals with the Inter-State Relations both in times of peace and war and also discusses in details the relations between the suzerain and his feudatories.

The various chapters of the book isolate the different links of the administrative machinery like the king, the ministry, the secretariat and discuss their origin and trace their development during the different periods. This treatment is no doubt very useful and it enables the reader to trace the origin and development of the different institutions very clearly. It however does not give the picture of the whole administrative machinery from age to age.

This is attempted in the concluding chapter, which first gives a survey of the administration from age to age and then gives a general estimate of ancient Indian polity and its achievements. Lessons suggested by this general survey and critical estimate are also stated at the end, so that they may be useful to us for the present as well.

The book is mainly a research work, which documents all important statements it makes and seeks to throw fresh light on several important and obscure points. The subject matter, however, has been presented in a manner calculated to be attractive and intelligible to the general reader as well. It is therefore hoped that the book will appeal both to the general reader and the scholar, as was the case with my books on *Education in Ancient India*, and *Position of Wom·· in Hindu Civilisation*.

The book is supplied with a detailed bibliography in Appendix I. Appendix II gives a chronological table of authors, kings and dynasties arranged alphabetically with a view to help the general reader. Appendix III gives an exhaustive Index.

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A. S. ALTEKAR.

LIST OF ABBREVIATIONS

A. Br. or *Ait. Br.* :—Aitareya Brāhmaṇa

Āp. Ś. S. :—Āpastamba Śrauta Sūtra

A. Ś. or *Artha.* :—Arthaśāstra of Kauṭilya

A. S. I., A. R. :—Archaeological Survey of India, Annual Report

A. V. :—Atharvaveda

B. D. S. :—Baudhāyana Dharmasūtra

B. G. :—Bombay Gazetteer

Br. Up. :—Bṛihadaranyaka Upanishad

B. S. S. :—Baudhayanā Śrauta Sūtra

Chā. U. :—Chhāndogya Upanishad

C. I. I. :—Corpus Inscriptionum Indicarum

E. C. :—Epigraphia Carnatica

E. I. :—Epigraphia Indica

Elliot :—Elliot and Dowson, History of India as told by her own historions.

G. D. S. or *Gautama* :—Gautama Dharma Sūtra

I. A. :—Indian Antiquary

I. H. Q. :—Indian Historical Quarterly

I. M. P. :—Inscriptions from Madras Presidency

J. :—Jātaka

J. A. S. B. :—Journal of the Asiatic Society of Bengal

J. A. H. R. :—Journal of the Andhra Historical Society

J. B. B. R. A. S. :—Journal of the Bombay Branch of the Royal Asiatic Society .

J. Br. :—Jaiminīya Brāhmaṇa

J. R. A. S. :—Journal of the Royal Asiatic Society

K. S. :—Kāṭhaka Saṁhitā

Manu :—Manusmṛiti

M. A. S. I. :—Memoirs of the Archaeological Survey of India

Mbh. :—Mahābhārata

M. N. :—Majhimanikāya

P. :—Purāṇa

P. Br. :—Pañchaviṁśa Brāhmaṇa

P. M. :—Pūrvamīmānsā

P. R. A. W. C. :—Progress Report of the Archaeological Survey of India, Western Circle

Raghu :—Raghuvanśa

PREFACE

There are a number of books already in the field, dealing with some of the aspects of Ancient Indian Polity, but a comprehensive work, explaining succinctly the Hindu political ideas, theories and ideals and describing the different features and aspects of the ancient Indian administration in its numerous branches is still a desideratum. The present work attempts to supply this need. It may not be inopportune to draw the reader's attention to some of its special features. It is based not merely on a study of the different Smṛiti books and Arthaśāstra works in Sanskrit, which give us the theoretical picture, but it also utilises fully all the data bearing on the subject available in Vedic and classical literature, Buddhist and Jain works, ancient books on history and accounts of foreign travellers and historians. Rich material supplied by inscriptions has been fully tapped and the discerning critic will not be unwilling to concede that no previous work on the subject attempts to give such a comprehensive synthesis of the divergent data supplied by theoretical and literary works on the one hand and by inscriptions and purely historical records on the other. The material has been arranged chronologically and also province-wise, whenever it was possible to do so. In each chapter, attempt has been made to trace the development of political theories and institutions from as to age, though the material in some cases was not quite sufficient to do so.

The opening chapter gives a survey of the Literature on Polity, tries to settle the chronology of the principal works of this branch and seeks to account for the relative paucity of books of real merit in later times. The next two chapters (Chaps. II and III) deal with the Origin of the State, describe its different Types and takes a stock of the ancient Indian speculations about the nature, aims and functions of the State. Wherever possible comparison is made with similar theories advocated in the West in ancient, medieval and modern times. The question as to how far the State of ancient India can be called theocratic has also been discussed at some length. The next chapter, Chap. IV, discusses the relationship between the State and the Citizen. How far the foreigners were differentiated from the citizens, how far the latter formed a homogenous group, how far there existed equality of all before the law, are some of the questions discussed in this chapter.

After thus discussing the main political theories in Chaps. II-IV, the book proceeds to describe the structure of the administration in ancient India. Chapter V deals with the Kingship; it describes its evolution from prehistoric times, discusses when and how far it was elective and when, how, why and to what extent divinity began to be associated with it. The different checks upon the king's powers are enumerated and their adequacy is critically examined.

Chapter VI deals with the Republics in Ancient India. When, how and where they came in existence, how far they were democratic in the modern sense of the term, what were the different types of their constitution, what were the relations between the Executive and the Central Assembly, when and why the republics declined and disappeared are some of the topics dealt with in this chapter. It is hoped that the reader will find a good deal of this chapter substantially new.

Chapter VII deals with the powers and functions of the Central Assembly or Popular Parliament. It shows how this institution existed in the Vedic times and gradually disappeared in the later period, when the state began to become more and more extensive. It is shown at the end that the Pauras and the Jānapadas mentioned in the literature and inscriptions of the post-Mauryan period do not denote any popular assemblies or parliaments.

Chapters VIII and IX deal with the machinery of the Central Executive. Chapter VIII deals with the evolution of the Ministry and the powers it exercised in the administration. Chapter IX describes the working of the Secretariat and of the various departments of the Central Government. Data scattered over a number of *Nīti* works and inscriptions have been corelated in order to give a detailed and synthethic account which will be found to be substantially new and original.

Chapters X and XI describe the Provincial, Divisional, District, Town and Village Government. Here also the evidence of the theoretical works is checked and supplemented with that of inscriptions scattered over the different provinces. As far as possible, an attempt is made to give developments in their chronological order; where possible, as in the case of the village councils, provincial variations in their constitution and functions are also indicated.

Chapter XII deals with Revenue and Expenditure. Principles of taxation have been discussed and the various aspects of the land tax have been extensively considered. The

Rāshṭrakūṭas. :—Rāshṭrakūṭas and their Times

R. V. ·—Rigveda

Ś. Br. : *Śat. Br.* :—Śatapatha Brāhmaṇa

S. I. I. : —South Indian Inscriptions

S. I. E. R. :—South Indian Epigraphical Report

Śukra :—Sukranītisāra

T. Br. :—Taittirīya Brāhmaṇa

T. S. :—Taittirīya Saṁhitā

V. D. S. :—Vasishṭha Dharma Sūtra

Vis. P. :—Vishṇu Purāṇa

V. S. :—Vājasaneya Saṁhitā

Watters :—Watters : On Travels of Yuan Chwang

Yāj. :—Yājñavalkya Smṛiti

TRANSLITERATION SCHEME

The following are the main points to be noted in scheme of transliteration followed in this work.

आ	ā	ई	ī	ऊ	ū
ऋ	ṛi	ए	e	ऐ	ai
ओ	o	औ	au	ङ	ṅ
च	ch	छ	chh	ञ	ñ
ट	ṭ	ठ	ṭh	ड	ḍ
ढ	ḍh	ण	ṇ	श	ś
ष	sh	स	s		

Visarga   Anusvāra   ṁ

CONTENTS

CHAPTER I

SOURCES OF ANCIENT INDIAN POLITY

It would be desirable at the beginning of our study to ⟨ref⟩er to the main sources available for reconstructing the ⟨pic⟩ture of Ancient Indian Polity and Administration. This ⟨will⟩ enable the reader to understand the difficulties and limita-tions under which we have to work while engaged in this task.

Systematic literature on what we may call the Science of Polity does not go back to a time earlier than *c.* 500 B. C. This is but natural. Even semi-secular and semi-religious subjects like grammar, etymology and astronomy began to develop independent literature only from about the 8th century B. C. The science of polity, therefore, cannot be expected to have acquired an independent existence much before the sixth century B. C.

Though there was no systematic literature on the political science composed in the earlier period, usually called the Age of the Vedas and the Brāhmaṇas, there are scattered passages in the Vedic literature, which throw considerable light, some-times dim, sometimes clear, on the theory and practice of government in the contemporary times. The material in *Rigveda* is very scanty[1], but that in the *Atharvaveda* is relatively more copious ; it however mostly refers to the institution of the kingship.[2] In the different Samhitās of the Yajurveda and in the Brāhmaṇa literature, we frequently come across the description of the coronation ceremony and the different sacrifices laid down for the king either at the time of his accession or at some later time in his career. These give us valuable glimpses into the position of the king, the prestige he enjoyed, the taxes he collected and the entourage that surrounded him.[3]. There are numerous

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. Particulary noteworthy are the following :—
   X. 191; 173; 166; 124.8; 97.6; 78.1; IV. 42; IX. 92.6; VII. 6.5; VI. 28.6; IV. 4.1; III. 43.5; I. 25.10-15; 67.1; 85.8; 130.1.
. The following references are important :—
   III. 4-5; VI. 88; V. 19; VII. 12; VI. 40.2; XX. 127; IV. 22; XIX. 31; VIII. 10. 8-13.
. The following are important :—
   T. S. 3.4-5; 8. 9. 1.; *K. S.* XXXI. 10; XV. 4.; *S. Br.* 1. 7. 3. 4.; V. 3. 1. 1; 3. 3. 6-9; 4. 4.7; IX. 3. 4. 5; XIII. 1. 9. 8.; 2. 9. 2-5; 4. 4. 1.; *A. Br.* 1. 14; II. 33; VIII. 10-12; 14; 23; 31; *P. Br.*, XIX. 4.

passages in this literature which discuss the relative position and privileges of the different castes, especially the Brāhmaṇas and the Kshitriyas, which also are valuable to the student of the political institutions.

From about the 8th century B. C. an age of specialisation commenced and the specialists in grammar and etymology, prosody and astronomy began to form separate schools and compose special manuals for the beginners as well as the advanced scholars. · The beginning of a school of politics properly so-called, has to be ascribed to this age of specialisation ; it is however certain that it was somewhat later in origin than the above sciences and probably contemporaneous with the school of the Dhrama-śāstra. The earliest works of this school, which unfortunately have all been lost, were probably composed in the 6th century B. C. Politics attained the status of an independent science in the west a couple of centuries later, when Aristotle composed his famous work, *Politics*, disentangling politics from ethics for the first time.

We are indebted to the *Mahābhārata* and the *Arthaśāstra* of Kauṭilya for an account of the works written and theories propounded by the pioneer writers in the field. It is interesting and important to note that these two works, which represent independent traditions and sources, agree with each other as far as the names of the early writers are concerned. The *Mahābhārata* account is semi-legendary and semi-historical. 'It states that a huge work on the science of polity extending over a lakh of verses was originally composed by Brahmadeva, the Creator, when he put an end to the prevailing anarchy and re-established social order. It was then successively abridged by Śiva-Viśālāksha, Indra, Bṛihaspati and Śukra. Manu, Bhāradvāja and Gauraśiras are also mentioned by the epic as other authors on the science of polity[1].

The names of well known works like the *Manusmṛiti*, the *Yājnavalkyasmṛiti*, *Parāśarasmṛiti* and *Śukranīti* show that in ancient India authors often preferred to remain incognito and attributed their works to divine or semi-divine persons. We need not therefore suppose that works on polity attributed to Brahmadeva, Manu, Śiva or Indra existed only in the imagination of a Kauṭilya or the author of the Mahābhārata.

This conclusion is supported by the data of the *Arthaśāstra* of Kauṭilya, for in numerous places[2] it refers to and discusses

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1. XII. 57 and 58.
2. See pp. 6, 13-17, 27-29, 32-3, 63, 177, 192, 253, 255. 322, 328-30, 375, 382 of the *Arthaśāstra*, 2nd Edi. by Dr. Shamshastri.

the· views of Viśālāksha, Indra (Bahudanta) Brihaspati, Śukra, Manu, Bhāradvāja, Gauraśiras, Parāśara, and Piśuna[1]. Kaṇika, Kauṇapadanta, Vātavyādhi, Ghoṭamukha, Kātyāyna, and Chārāyaṇa are other scholars of the Science·of Polity that are referred to in the Arthaśāstra.[1]

As was the case with the other branches of knowledge, there were several schools among the students of the science of polity as well ; some of them claimed Manu (the father of the human race) as their founder, others Brihaspati, the teacher of the gods and others still Śukra or Uṣanas, the rival teacher of the Asuras. Some chose to affiliate themselves to Brahmā, some to Indra and some to Śiva. In the beginning very probably handbooks for the use of the beginners were composed, which were later developed into comprehensive works. It is these books, written by human scholars but ascribed to super-human authors, which are referred to by the *Mahābhārata* and the *Arthaśāstra.*

Unfortunately none of these books have survived to our times. It appears that the material contained in some of them was incorporated in the Rājadharma section of the Śāntiparvan of the *Mahābhārata* and that the others were superseded and thrown into the background by the masterly work of Kauṭilya. Some of them, however, existed down to the 9th century ; for a verse of Viśālāksha has been quoted in the Bālakrīḍā, a 9th century commentary on the *Yājñavalkya-Smṛiti*, by Sureśvarāchārya.[2]

The references to the views of these authors made in the *Arthaśāstra*, however, enable us to get a fair idea of their contents. The science of polity was a new one at this time and therefore many of these writers seem to have started their works with a discussion of its relative importance as compared to the Vedas, the philosophy and the economics. One of them, named Uśanas, went to the extent of advocating the extreme view that politics was the only science worth study. The polity which these writers were discussing was obviously a monarchical one, and they seem to have devoted considerable space to the discussion of the training of a prince and the qualifications of an ideal ruler. The relative importance that he should attach to the difficulties and calamities in connection with the treasury, forts and army were also exhaustively discussed. The constitution and functions of the

1. *Kauṭilya Arthaśāstra*, T S. S., Pt. I, Introduction, p. 6.
2. Cf. especially the views attributed to *Āchāryāḥ* at pp. 9, 68, 157 161, 185, 192, 196, 198 (Shamsastri's ed.).

ministry were described at length by most of them and they widely differed from each other about the number of the ministers and their qualifications. Principles of foreign policy also were debated upon, Bhāradvāja advocating submission to the strong when there is no alternative and Viśālāksha recommending a fight to the finish, even if it meant annihilation. Vātavyādhi did not subscribe to the theory of *Shāḍguṇya* but advocated that of *Dvaiguṇaya*. Problems connected with taxation do not seem to have been discussed by these writers; at any rate the *Arthaśāstra* has no quotations from them bearing on that topic. The questions of the control over revenue and provincial officers were discussed, but the local government seems to have been left untouched. On the other hand these early works contained important sections dealing with civil and criminal law and laid down a scheme of fines and punishment for theft, robbery, misappropriation, etc.[1] We would not be far wrong in concluding that the treatises of most of these writers were the precursors of the *Arthaśāstra* of Kauṭilya but dealing, of course in a much less exhaustive way, only with those topics dealt with in its Books I, II, III, IV, VI and VII.

The *Mahābhārata* is an important source to the student of the science of polity. The Śāntiparvan has an extensive section devoted to the Rājadharma or the duties of the king and the government. It discusses the importance of the science of politics (Chaps. 63-64) and advocates its own theories about the origin of the state and kingship (Chaps. 56, 66, 67). The duties and responsibilities of the king are discussed at length in several chapters (Chaps. 55-57, 70-1, 76, 94, 96, 120) as also those of the different ministers (Chaps. 73, 82, 83, 85, 115, 118). Taxation is discussed in half a dozen chapters (Chaps. 71, 76, 87, 88, 120, 130), but the duties of the different officers are not laid down in detail as in book II of the *Arthaśāstra*. Internal administration is briefly described only in one chapter (87). Problems connected with the foreign policy and peace and war naturally occupy a good deal of space (Chaps. 80, 87, 99, 100-103, 110 and 113). There is no doubt that the Rājadharma section represents a further advance over the works of the writers mentioned in it and in the *Arthaśāstra* ; it is not unlikely that it incorporates some of their theories and sections.

Apart from the Rājadharma section of the Śāntiparvan, there are some other chapters in the work where problems of government are discussed. Sabhāparvan Chap. 5 gives us a very good idea of the ideal administration. Ādiparvan Chap.

142, contains a justification of Machiavellianism under certain circumstances. Sabhāparvan Chap. 32 and Vanaparvan, Chaps. 25, 32, 33 and 150 contain interesting discussions on the emergency policy.

The next important source is the famous *Arthaśāstra* of Kauṭilya.[1] It belongs to the same category as the above works, but discusses the old topics with a remarkable thoroughness referring to the views of the earlier writers and advancing its own theories. After discussing in Book I the various problems connected with the kingship, it gives an exhaustive picture of the civil administration in Book II. The next two books deal with the civil, criminal and personal law. The Book V deals with the duties and responsibilities of the followers and retainers of the king and Book VI describes the nature and functions of the seven *Prakṛtis* of the State. Then the work devotes its last nine chapters to an exhaustive discussion of the problems connected with the foreign policy, the circles of kings and the policy to be followed in connection with its different members, the ways and means by which to establish one's ascendancy among them, the occasions suitable for war and peace, the manner in which the warfare was to be carried on or discensions were to be sown among the enemies, etc.

The Arthaśāstra is more a manual for the administrator than a theoretical work on polity discussing the philosophy and fundamental principles of administration or of the political science. It is mainly concerned with the practical problems of government and describes its machinery and functions, both in peace and war, with an exhaustiveness not seen in any later work, with the possible exception of the *Śukranīti*.

There is a great controversy about the date of the *Arthaśāstra*. Messrs. Shamasastri, Ganapatishastri, N. N. Law, Smith, Fleet and Jayaswal hold that the work proceeds from the pen of the famous minister of Chandragupta Maurya, while Messrs. Winternitz, Jolly, Keith and D. R. Bhandarkar hold that the work is a much later one, written in the early

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1. *Arthaśāstra* and *Daṇḍanīti* were very often used as synonymous terms. Thus Daṇḍin in his *Daśakumārachaṇit* VIII p. 131 describes the work of Kauṭilya as *Daṇḍanīti*, cf अधीष्व तावद्दण्डनीतिम् । इर्यमदानीमा-चार्यविष्णुगुप्तेन मौर्यार्थं संक्षिप्ता The *Mitākṣharā* equates *daṇḍanīti* with *Arthaśāstra* at *Yāj.* I. 311 & 313, cf दण्डनीत्यामर्थशास्त्रे, *Śukranītisāra* describes the actual state of affairs, when it states that the *arthaśāstra* discussed instructions about government along with the acquisition of wealth (IV. 3.56).

centuries of the Christian era.[1]   Conclusive evidence supporting either view is lacking and the question has become complicated owing to the work being retouched in later times. The second school points out that if the book was really written by Kauṭilya, the Mauryan minister, it is strange that it should not contain some references to the Mauryan empire and its administrative machinery, so well known to us from Greek sources.   It ignores the boards of town officials, and lays down no rules for the care of foreigners, for escorting them to the border and looking after their effects if deceased.   The fact that the views of Kauṭilya himself are quoted in the 3rd person would suggest that the real writer of the work was different from him.

Shamasastri and Jayaswal demur to these conclusions. They point out that the colophon of the work distinctly states that it was written by Kauṭilya, who had rescued the country from the Nandas.   To say that the author was not acquainted with a wide empire is incorrect, for he states (at p. 340) that the sphere of the jurisdiction of an empire extends from the Himalayas to the ocean.   The aim of the book is to describe the machinery of a normal state ; the organization of a big empire which was only an occasional phenamenon in Indian history is not, therefore, discussed in detail.   The *Arthaśāstra* no doubt refers only to the superintendents of the different departments ; the boards of five may have been omitted because they were mainly non-official in character.   It is quite a common practice among Indian authors to refer to themselves by their own name in the third person singular, rather than in the first person plural ; so the references to Kauṭilya in the third person need not necessarily show that he was not himself the author of the book.

The society depicted by Kauṭilya permits levirate and remarriages of widows, as also post-puberty marriages and divorces (pp. 151-159). This was the state of affairs in the Mauryan age.   Scant respect is shown to the Buddhists (p. 199) and persons are prohibited from becoming recluses without providing for their families (p. 48). This would indicate that the work was written at a time when Buddhism had not yet become strong enough to induce people to leave

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1. Important references are the following ; Shamasastri, Introduction to the *Arthaśāstra* ; Jayaswal, *Hindu Polity*, Appendix C ; N. N. Law, in *Calcutta Review*, 1924 in support of traditional date; Jolly, Introduction to the *Artha-śāstra*; Keith, *Sanskrit Literature*, pp. 458, and Winternitz, *Geschichte der Inder Literature*, Vol. III, pp. 519. ff. (in support of a later date).

their families and join the order. The work frequently uses
the work *yukta* in the sense of an official, as is done in the edicts
of Aśoka. In later centuries this term went out of vogue.

.   The above facts as well as the colophon of the work
would suggest that its kernel at any rate belongs to the
Mauryan age and embodies the views of Kauṭilya. It was,
however, retouched here and there in later times. Thus
the reference to China could not have been in the original
work as the country was not known by that name in *c.* 300
B. C. It is probable that passages containing the term
suraṅga, derived from the Greek term syrinx, may be later. At
p. 255 the view of Bhāradvāja is placed after that of Kauṭilya.
This may be an instance of opposite views being placed side
by side in an impartial manner. But if it suggests that the
view of Bhāradvāja was to be preferred to that of Kauṭilya,
the passage would be a later addition.

Apart from a few such passages, the work seems to be
substantially of the Mauryan age and may be taken to embody
the views of the great minister of Chandragupta.

Kauṭilya was not only a famous statesman but also the
founder of ɩ school of politics ; hence the great respect in
which his name and work have been held by the subsequent
centuries. Even south Indian epigraphs describe skilled admi-
nistrators and diplomats like king Durvinīta (9th century)
and Mārasimha (10th century) of the Gaṅga dynasty as
incarnations of Vishṇugupta or Kauṭilya or ɛs well versed in
his statecraft.

The position of the *Arthaśāstra* in the realm of the litera-
ture on politics is analogous to that of Pāṇini's *Ashṭādhyāyī*
in the field of grammar. Like Pāṇini, Kauṭilya superseded all
his predecessors ; their works were, therefore, lost in the course
of time. The excellence of Pāṇini's work was so great that
very few among the later grammarians thought it possible to
supersede the great master. The same apparently was the
view of the later scholars in·the realm·of the political science.[1]
That seems to be one of the reasons for the relative dearth of
original works in the later history of the science.

There were also some other reasons for this phenomenon.
The Smṛitis written during *c.* 200 B. C. to 200 A D. like
those of Manu (Chaps. VII-IX), Vishṇu (Chap. III) and
Yājñavalkya (Chap. I, 304-67) took over the discussion of the

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1. Gumɩeḍḍipura*plates *M. A. R.,* 1912 ; Vudlur grant, *M. A.
R.* 1042.

topics like the duties of the king, the functions of the differ
officers, the rules of civil and criminal law and the differ
theories concerning the foreign policy. Of course their tr
ment of these subjects was not as comprehensive or system;
as that of the *Arthaśāstra*, but it was quite sufficient for ev
day purposes. They possessed the additional advantages
including a discussion of the rules of *varṇa*, *āśrama* and *prā*
chitta and thus appeared as more useful manuals to the pu
than the books on the pure *Arthaśāstra*.[1]

The Smṛiti works referred to above deal with the adm
strative problems in a general way. Their treatment we
have been found inadequate and new books would have ce
into the field, had there been intense activity in the re
of the political thought. But there was no such activity. '
general form of the works in the political science was de
mined by the *Arthaśāstra* and about a dozen other manual
similar nature that existed before its time. New polit
theories were not adumbrated in later centuries. The se
religious and semi-moral outlook of the writers of the t
was responsible for this. Our writers, for instance, conc
the principle that the king is the servant of the people
there is no sin in killing a tyrant. A good many theories
books would have come in the field, if the problem of rigi
had been viewed purely from the secular point of view. W
are the duties of the king in his capacity as the servan
the people, what are the secular remedies for the people
the king begins to behave autocratically, under what circu
tances would people be justified in withholding allegianc
the payment of taxes, how public opinion was to make i
felt, what were the different milder remedies that pe
could adopt before they had recourse to rigicide, how v
they to be made effective in the face of the police and milit
forces of the king,—these and similar questions would b
given rise to a number of divergent theories, resulting in a
literature extending over several centuries. But this ce
not happen, because our writers looked at the question f
the religious and moral point of view. The king was to l
virtuous ruler devoted heart and soul to the welfare of
people; if he was not such, then gods will punish him.

We have only one other *Arthaśāstra*, *Bārhaspatya-Arthaśāstr.*
Sanskrit literature. The book is of a very late date, and has h
any intrinsic merit as a work on political science. A third
person has composed it, probably in the 12th century, and asc
it to Bṛihaspati, one of the early traditional teachers of the scier

subjects had no secular remedies feasible in normal times; gods
were expected to destroy a bad king. Sometimes it is stated
that he should be killed like a mad dog, but how, by whom,
and under what circumstances is not explained. Abstruse
thinking and daring speculation which is characteristic of
Hindu thought in other departments like philosophy and
poetics are strangely enough conspicuous by their absence
in the works on the science of polity.

Epigraphical evidence shows that there existed consider-
able divergence in the country in the sphere of taxation
and local government. New taxes were introduced by the
different states in the course of time and the local government
institutions developed on different lines in the various provinces
of India. New books could have been written discussing these
developments. But this did not happen, probably because
taxation and local government were governed by local tradit-
ions, which were not usually incorporated in the standard
works on polity.

The administrative machinery of the Guptas considerably
differed from that of the Mauryas; fresh developments took
place in this sphere under Harsha, as also under the rule of the
early medieval dynasties. Books could have been written
bearing upon the changes that were taking place in the
administrative machinery. But this also did not happen.
Probably the students of the political science felt that these
were minor changes of details which were not sufficiently
important to warrant the composition of fresh books.

It has been suggested that the foreign invasions and alien
rule during c. 200 B. C to 300 A. D. may have been respon-
sible for the dearth of the political literature in the post-
Kauṭilya period. This, however, appears improbable; the
dominions of the Greeks, the Scythians, the Parthians and the
Kushāṇas did not extend beyond the Punjab for any appre-
ciable time. Madhyadeśa and Bihar, which were the centre
of Aryan culture from c. 500 B. C., ramained practically
unaffected by the foreign conquests.

To conclude, the sterility in political literature in the first
millennium of the Christian era seems to be due to the great
sway which the classical work of Kauṭilya continued to have
over the public mind and the absence of any noteworthy
development in the sphere of the political thought or govern-
ment machinery. A few manuals, with no particular claim

to originality, were of course composed during this period and we shall briefly refer to them.

The great fascination which Kauṭilya had over his successors is well illustrated by *Kāmandakīya Nītisāra*, composed probably in the Gupta age (*c.* 400 A. D.) This book is nothing but a metrical summary of the work of Kauṭilya. Obviously its anonymous writer felt that the best service he could render to the students of politics would be to summarise this standard work in the popular Anushṭub meter, so that it could be easily memorised by the student. The work, however, does not at all describe the administrative machinery. The king and his courtiers dominate the picture, showing the great importance that monarchy had acquired by this time. Kauṭilya's chapter on republican states is omitted, probably because they were no longer in existence. Civil, criminal and personal law are completely left out, probably because the Smṛiti writers of this period had specialised in this branch. The *Nītivākyāmṛita* is also a colourless summary of earlier political thought; it is somewhat interesting as it proceeds from the pen of a Jain author, Somadevasūri (*c.* 960 A. D.)

The *Śukrnīti*, whose date is rather uncertain, is the next work to be considered. It is very important for the student of ancient Indian polity. Like other works of the class, it does not occupy itself with theoretical discussion of the principles of polity or government, but it gives us a more detailed and comprehensive picture of the administrative machinery than is given by any other work of the post-Kauṭilyan epoch. The polity it describes is of course monarchical, republics having disappeared long before the date of the work. Besides describing the duties of the king and the functions of his ministers and officers, the work discusses foreign policy and war at great length. It also describes the administration of justice in an exhaustive manner. Incidentally it discusses several problems of sociology and social philosophy in a comprehensive manner. The work no doubt is written on the same lines as the *Kāmadakīya Nītisāra* and *Nāradasmṛiti* and reproduces their atmosphere, and so may be placed towards the end of the 8th century. Some verses of it, however, which locate the Yavanas in the northwest, and describe in detail guns and gunpowder (IV. 7, 193, ff) may be later additions. Some writers have no doubt placed this work in the 16th century. This, however, is an untenable view, because the work is altogether different in spirit and outlook from about half a dozen manuals on polity that were written

between 1100 and 1600 A. D. The *Bārhaspatya Arthaśāstra* is a small, unimportant and late booklet, doing justice neither to its subject nor to its supposed author. Like some of the earlier Smṛitis, some later Smṛitis also occasionally deal with administration, but their treatment is quite perfunctory.[1] The Purāṇas of the Gupta and post-Gupta period also deal with State and Government, but disclose no originality of thought or treatment.[2]

From *c.* 1000 A. D. originality disappeared from most of the branches of Indian learning, and the science of polity was no exception. From *c.* 1000 A. D. to 1700 A. D. a number of compendiums were written giving a comprehensive treatment of Dharma in its different branches ; *rājanīti* or politics also formed a section of most cf these works. As important works of this class, we may mention *Abhilashitārthachintāmaṇi* (1st four chapters) of Someśvara, *Yuktikalpataru* of Bhoja (*c.* 1025 A. D.) *Rājanītikalpataru* of Lakshmīdhara (*c.* 1125), *Rājanītikāṇḍa* of Devaṇa-bhaṭṭa (*c.* 1300), *Rājanītiratnākara* of Chaṇḍeśvara (*c.* 1325 A. D.), *Nītimayūkha* of Nīlakaṇṭha (*c.* 1625 A. D.) and *Rājanītiprakāśa* of Mitramiśra (*c.* 1650 A. D.). Most of these works are written from the theological rather than from the political point of view. Thus the *Rājanīti-prakāśa* devotes as many as 100 pages to the description of the coronation ceremony. The *Nītimayūkha* gives detailed instructions to the king as to how he should cleanse himself, shave and bathe, what he should do if there are bad dreams and omens, and what different *śāntis* he should perform to avert different calamities. We have got sections in these works dealing with ministers, forts, treasury, foreign policy, war, etc., but there is nothing new about them. We usually get only a collection of quotations from earlier writers bearing upon these and similar topics. The same is the case with a few works on polity written in vernaculars at this time. For instance, a manual on political science was written in Marathi in *c.* 1680 by Ramachandra Pant Amatya, a minister of Shivaji, for the guidance of the latter's son, but it shows no originality of thought. These works, therefore, possess very little intrinsic value to the student of the political science. Original thinking had come to an end for reasons already explained.

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1. See for instance *Vriddha-Hārita-Smriti*, Chap. VII, *Brihatparāśara*, Chap. X.

    See for instance, *Agnipurāṇa*, Chaps. 218-42, *Garudapurāṇa*, 108-115, *Matsya purāṇa*, Chaps. 215-43, *Markaṇdeya*, chap. 24.

CHAPTER II

ORIGIN AND TYPES OF THE STATE

Modern works on polity devote considerable space to the discussion of the question of the origin of State. No contemporary evidence is available or is ever likely to be available to enlighten us on the point. While we possess ample evidence to show how some particular states originated among people already accustomed to political life, we have only the uncertain light of legends and mythology to visualise the circumstances under which men for the first time associated themselves into a political organisation. We are, therefore, left more or less to speculate on the problem. The modern speculation, however, is largely influenced by the scientific method and the theory of evolution, and seeks to fortify its conclusions by such analogies as can be drawn from the known condition of societies which are more or less in an uncivilised condition at the present time. We should not forget that this line of approach was unknown to the ancients, whether of the East or of the West. Most institutions were regarded in ancient India as due to divine agency or inspiration and the State was no exception to this rule.

We have occasional speculations on the origin of the State in the *Mahābhārata*[1] and the *Digghanikāya*[2], and though these works belong to different centuries and religions, their version shows a marked similarity. They both aver that for a long time after the creation of Society, there prevailed a golden age of harmony and happiness, when people led virtuous and peaceful lives on account of their innate virtuous disposition, though there existed no government to see that the laws of nature were respected and followed. Popular imagination has dreampt of a golden age in the dim and distant past not only in the East but also in the West. Plato's Republic may well be regarded as the idealisation of such a Golden Age; the actual state could be only a faint copy of the ideal one delineated by him. As late as the 18th century, Rousseau held that the era of the Golden Age had disappeared many many centuries ago; the utmost that men could do

1. Śāntiparvan, chap. 58.
2. Vol. III, pp. 84-96.

today was to try to realise it to some extent in the present imperfect society[1].

The *Mahābhārata* goes on to narrate that society flourished without a king or law court for a long time, but later somehow there was a moral degeneration. People fell from rectitude; greed, selfishness and cupidity began to sway their mind and the earthly paradise which they had been enjoying was soon converted into a veritable hell. The law of the jungle began to prevail, the strong devoured the weak, as is the order of the day among the fish (*matsyanyāya*). Gods then became alarmed and decided to remedy the situation, when men went out in a deputation to pray for relief. Brahmadeva, the chief god, thought over the matter and came to the conclusion that human society can survive only if a code of law was framed and enforced through the instrumentality of a king. He composed a comprehensive code, created an asexual son named Virajas, appointed him king and men agreed to obey his orders.[2] This account of the *Mahābhārata* shows that state was regarded as a divine institution ; king's right to govern was partly due to his divine creation and partly due to the agreement of the subjects to be governed by him in order that anarchy may come to an end. We may passingly note that the theory of the divine origin of State was widely held in Europe under the influence of the Christian dogma, especially in the Middle Ages, when the king was regarded as the annointed representative of god, ruling by divine right. Islam also shared a similar view, for it regarded king as the shadow' of god.

The version of the *Dīghanikāya*[3] resembles the above account to a great extent. Budhists did not believe in God

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1. It is averred by some observers that even during the 19th century there existed some primitive civilisations in the hearts of Africa and Australia, which led a happy and harmonious life in spite of the absence of any government among them. It is however not unlikely that the observations may have been incomplete and onesided owing to the difficulty of language or the shortness of their stay.

2. नियतस्त्वं नरव्याघ्र शृणु सर्वमशेषतः ।
यथा राज्यं समुत्पन्नमादौ कृतयुगेऽभवत् ॥ XII. 58. 12.
नैव राज्यं न राजासीन्न च दण्डो न दाण्डिकः ।
धर्मेण वं प्रजाः सर्वा रक्षन्ति स्म परस्परम् ॥
पाल्यमानास्तथान्योन्यं नरा धर्मेण भारत ॥ १४ ॥
दैन्यं परमुपाजग्मुस्तस्तस्मान्मोह आविशत् ।
प्रतिपत्तिविमोहाच्च धर्मस्तेषामनीनशत् ॥
कामो नामापरस्तत्र प्रत्यपद्यत वै प्रमो ।१६।।

3. Vol. III, pp. 84-6.

and so Brahmdeva as the creator of the first king and code does naturally not figure in it. But we are told that in the dim and distant past, there was a golden age, when men who had ethereal and refulgent bodies, lived in virtue and happiness. Somehow there was a fall from this ideal state; there arose anarchy and chaos, and people wondered how to put an end to it. Eventually there arose on the scene a person named Mahājanasammata (lit. One acceptable to the great community), who was born asexually. He was wise, virtuous and able, and the public requested him to become their king and to put an end to the prevailing chaos. He acceded to their request and people then elected him to be their king, agreeing to give him a part of their paddy in return for his services.

The belief of the Hindus and the Buddhists that there was a golden age preceding the evolution of government clearly shows that they held that Society came into existence earlier than Government. This is the correct view ; language is first evolved and then grammar is based upon it.

Nārada[1] and Bṛihaspati[2] also refer to the golden age and the state of war which succeeded it, but they do not offer any useful observations on the origin of State.

A survey of the above passages shows that whatever may be the state of affairs in the mythical past, Hindu thinkers held that State was an indispensable institution for the orderly existence and progress of society in the world as known to us in historic times ; a country without government cannot even exist.[3] They regarded State as a divine institution, implying thereby that it is as old as society and owed its origin to that social and political instinct which is twin-born with man.

The *Mahābhārata* implies that people accepted Virajas as king ; the *Dighanikāya* expressly states that Mahājanasammata accepted the people's request to put an end to anarchy and thereupon people elected him to be their king. There is no doubt a notion here of government coming into existence as a result of some implied contract. Some such idea seems to have been also in the mind of the Dharmasūtra writers, when they aver that the king is a servant of the people charged

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1. I, 1-2.

2. I, I

3. अराजकं नाम रठ्ठं पालेतुं न सक्का । *Jātaka*, VI, p. 39.

with the duty of protection, 16% tax being his wage[1]. Hindu writers, however, do not further devolop the idea of contract, probably because they had realised that it could not be fully applicable to the origin of government and society. These come into existence out of conditions primarily arising from the sociability inherent in human nature.

It is now generally recognised that the contract theory of the origin of government is bad history and worse logic ; it can no doubt explain the origin of a particular form of state among people who have already developed governmental institutions, but it cannot explain how the first agreement took place among the members of a community, which was still in a state of nature. Contract is possible only in a society where mutual rights and obligations are respected, and this is obviously impossible in a society where the law of the jungle prevails.

It would be, however, interesting to compare ancient Indian theory of contract with similar theories advanced in the west. The theory is rarely referred to by ancient thinkers of Greece and Rome ; it is worked out in detail only in the post-Reformation period. Hobbes and Locke are its important advocates.

Like most of the ancient Indian thinkers, Hobbes held that there was a state of anarchy in the beginning, the hand of each being against all. Tired of this state, people eventually agreed to surrender part of their rights to the sovereign. It was not however a contract between the sovereign on one side and the people on the other. It was merely an agreement among the people, which imposed no obligations upon the sovereign, who however got unlimited and irrevocable rights under it. Hindu writers also like Hobbes have presupposed a contract, which eventually put an end to the law of the jungle ; but it was not a contract which imposed obligations only on the people. The first king got no unlimited rights under it ; his powers were restricted by the Code of Law prepared by Brahmadeva for him, if not by the terms of the contract.

According to Locke, the state of Nature in the pre-government period was more or less analogous to the Golden Age of the Hindu mythology. People as a general rule obeyed the laws of reason and nature, and respected one another's person

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[1]. षड्भागभृतो राजा रक्षेत्प्रजाम् ॥ *B. D. S.,* I, 10, 6.

and property. When hawever occasional breaches of·law occurred, each individual could act both as a judge and executor of his own decrees, which created certain inconveniences. Though the law of Nature was known to all, still owing to difference of intelligence and conflicts of interest disputes arose as to the method of its enforcement, which gave rise to confusion and uncertainty in life. To put an end to it people entered into a covenant, surrendered their right to enforce the law of Nature and organised a government which was also bound by the terms of the original contract. Hindu writers vaguely suggest that somehow there was a fall from the Golden Age of the primeval period, owing to greed getting the upper hand in human nature. How the greed once absent from human nature began to warp it they cannot explain, just as Locke cannot explain how in a society where the laws of reason prevailed, there were occasional breaches of its provisions and how, when they occurred every party in the transaction could act both as the judge and the executor. Locke makes the provisions of the original contract binding on the king. Hindu writers seek to regulate his powers by the provisions of the original divine code.

It will thus be seen that the desire to put an end to anarchy and evolve a better type of society and government are stated to be the chief grounds for people entering into the original contract, that brought government into existence[1]. Western thinkers, however, looked at the problem from a purely secular point of view ; it is well-known how the views of some of them were unconsciously influenced by people's struggle against autocracy that was then in full swing in some countries. They, therefore, are anxious to thrash the idea of contract threadbare, initiate fundamental principles of political association, define the authority of the sovereign and prescribe the conditions under which popular obedience would be expected, and discuss whether the transfer of power by the people to the sovereign is irrevocable or otherwise. Ancient Indian writers did not live in an age of rationalism like Locke and Rousseau ; they looked at the question from

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1. Rousseau however is an exception in this connection. His state of Nature described in the *Discourse on Inequality* is as happy and idealistic as that of the Kṛita Yuga of the ancient Hindus, but he differs from them in postulating that the political organisation was introduced not as a means of escape from an intolerable condition, but as a means of conserving rights that were naturally enjoyed by men in the state of Nature. Cocker, *Readings in Political Philosophy*, p. 478.

a semi-religious and semi-sociological point of view. They have; therefore, neither gone deep into the fundamentals of the problem, nor defined precisely the limits of the powers of the state and the people. They observe, for instance, that people offer obedienc and taxation in return for the protection and services they expect from the government. If the king's government fails in its duty, they permit the people to remove the king, and even to kill him. But what precisely will constitute a breach of the contract on the part of government, and what is the secular constitutional machinery by which poeple can enforce the performance of the terms of the original contract is nowhere clearly described. The permission to remove a tyrant or to kill him no doubt assumes the ultimate sovereignty of the people and invests them with supreme authority. This remedy, however, is drastic and difficult ; it would have been more useful if our authorities had recommended a less extreme but more practicable remedy in the form of an everyday constitutional check. We should not, however, forget that such a remedy has been perfected even in the west only in the modern age.

There are various other theories advocated about the origin of State by modern writers. It is argued that people in the distant past willingly entrusted government powers to an individual, either because he was a priest who could ensure divine help and favours, or because he was a magician who could command rain, or because he was a doctor who could cure patients. It is suggested that individuals who thus happened to gain ascendancy over the minds of their contemporaries, managed to retain it by the use of force, which they could exercise with ease owing to their pre-eminent position, already recognised on a large scale. It is quite possible that in some primitive societies, government may have actually arisen owing to the operation of the above factors. But as far as the Indo-European communities are concerned, the institution of the patriarchal joint family seems to have been the germ out of which State was gradually evolved. The evidence of the comparative philology shows that even when the Aryans were in their original home, they were living in joint families consisting of the grandfather, father, uncles, nephews, sons and daughters-in-law. The evidence of Homer shows that these joint families were sometimes so big

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1. Words for the uncle, the nephew, the father-in-law the mother-in-law and the daugher-in-law are derived from common roots in most Indo-European languages.

as to include two or three hundred persons[1]. The patriarch of
the joint family wielded very wide powers over its members;
he could pledge, sell, amputate and even kill any person under
his potestas for an offence committed by him. The Roman
patriarch possessed these powers; some Vedic legends also show
that the father could blind or sell a guilty son by virtue of
his patriarchal authority[2]. The position of the patriarch in
prehistoric times was more or less like that of a king amongst
all the Indo-European communities. His jurisdiction increas-
ed, though perhaps his powers diminished as the joint family
expanded into a big federation of several natural families,
springing from a common ancestor, real or imaginary, and
living in the same village. The senior member of the senior-
most family in such a village was regarded with great
reverence by the whole community and used to be entrusted
with most of the governmental functions to be discharged, no
doubt, in consultation with other elder persons of the
locality. The Rigvedic evidence shows that the Aryan
society in that early period was divided into families,
janmans, *viśas* and *janas*[3]. *Janmans* seem to have. corres-
ponded to a village consisting of people claiming a common
descent, and a number of such villages joined together by a
bond of kinship seem to have constituted a *viś*; its chief
was known as a *viśpati*. *Viśas* were closely knit together, and
on the battle fields battalions were often arranged as per
viś from which they were recruited (*R. V.*, X, 84, 4)
Several *viśas* made a *jana* or tribe, which had its own
janapati or the king. This organisation among the Vedic
Aryans shows a striking resemblance to the condition prevail-
ing in Rome in early days. There the smallest unit, gens,
consisted of a small number of families descended from a
common ancestor; a number of these gens constituted a curia
and ten curiae made a tribe. Vedic *jana* probably corresponded
with the tribe, *viś* with the curia and *janman* with the gen.

The available evidence thus shows that as among other
Indo-Aryan communities, State was evolved in India also in

1. Priam had fifty sons and twelve daughters; they lived with their parents
   in a common home along with their wives, husbands and children.
2. *R. V.* I. 116-16 tells us how Aśvins restored the eyesight of Rijrāśva,
   who was blinded by his father, exasperated to find that his son had
   permitted his hundred sheep to be devoured by a wolf. Śunaśśepa
   had been sold by his father to save the family from starvation ('*A.
   Br.* VII. 15).
3. स इज्जनेन स विशा स जन्मना स पुत्रैर्वाजं भरते धना नृभिः । II. 26. 3.

pre-historic times out of the institution of the joint family. The patriarch of the family was instinctively revered and obeyed ; and social traditions and atmosphere inspired a similar respect for, and evoked a similar obedience to the head of the village and tribe, who generally acquired the status of chiefs and kings. The power of the kings gradually became more and more extensive as states became larger and larger.

Types of States

Let us now see what were the different types of states existing in ancient India. Ancient constitutional writers hardly discuss this problem. This is probably due to their having flourished in an age when monarchy had become the prevailing type of State. Had a book on *daṇḍanīti* been written by a citizen of an aristocratic or republican state, we may have got some interesting discussion about the nature and types of different states like monarchy, aristocracy and democracy and their relative merits and defects. But curiously enough this does not seem to have happened.

Our writers again and again revolve round the same type of state, viz monarchy; only a few of them passingly refer to the *Saṅgha* (republican) state. We have shown already how for a long time the state was tribal. Apart from the frequent references to *viśpatis* and *janapatis* the *Rigveda* (*c.* 2500 B. C.) frequently refers to specific tribes like the Yadus, the Purus, the Anus, the Turvaśas, etc. Viśvāmitra's prayers are said to have protected the Bharata people[1] ; in the Rajasūya sacrifice, the king is announced as the ruler of the Bharatas or the Kuru-Pañchālas and not as the sovereign of a particular district or kingdom. The notion of a *rāshṭra* or a territorial state, however, was being gradually evolved in the later Vedic period ; we find it clearly referred to in the *Atharvaveda*[2]. The *Taittirīya Saṁhitā*[3] refers to a ritual, a partial performance of which could secure a king over-lordship over his tribe (*viś*), but not over the country (*Rāshṭra*). The Brāhmaṇa literature frequently refers to the emperor as the ruler not over all the tribes but over the whole earth bounded by the sea. It is clear that the nation of a territorial state was fully established at this time (*c.* 1000 B. C.).

विश्वामित्रस्य रक्षति ब्रह्मेदं भारतं जनम् । III. 53, 2.

2. XX. 127. 9-10; XIX. 30. 3-4; III. 4, 2; VI. 98. 2.

3. II. 3. 3-4.

Monarchy was the normal form of the State in the Vedic period, *rājā* (a king), *mahārāja* (a great king), *samrāṭ* (an emperor) are the different terms by which kings were designated according to their power and prestige. Some of them were also alled *svarājas* and *bhojas*; what precisely these terms indicated, it is difficult to determine.

In the description of the coronation, the ritual is sometimes described as securing *rājya, svarājya, bhaujya, vairājya; mahārā·ya* and *sāmrājya* to one and the same individual [1]. A doubt, theref·re, naturally arises as to whether these terms really denoted different typ·s of states or monarchies. It is, however, not unlikely that it is the desire to emphasise the omnipotence of the ritual that is responsible for the priest claiming that the king who is receiving the holy coronation from him, can attain to all the different positions refirred to above. This conjecture becomes more prob·ble when we remember that a passage in the *Aitareya Brāhmṇa* states that the different types of States lik· *rājya, bhaujya, vairājya* and *samrājya* flourished in different provinces of the country.[2]

In the later Indian history, we always come across a large number of kings, enjoying different degrees of autonomy and ruling as feudatories of an emperor (*samrāt*) It is not unlikely that such feudatories existed in the Vedic period as well ; they may have been known as *bhojas* and *svarājas* and their feudal lords as *samrāṭs*. The territorial extent of the dominion of a *samrāṭ*, as compared to that of *svarāṭ*, cannot be definitely determined Most of the states in Vedic period were small; it is doubtful whether there was a state big enough to extend over a quarter of the Punjab. The dominion of a *samrāṭ* was perhaps not much bigger than that of an ordinary king. Military glory and achievements were probably more responsible for his higher title than the extent of his dominion.

States, where the principal executive authoity was vested in two rulers as in ancient Sparta, were not unknown in ancient India. One such state existed at Paṭala in Sindh in Alexander's days[3], where the sovereignty was vested in two different kings hailing from different houses. The *Arthaśāstra* (VIII. 2) also refers to such a state; probably it used to come into existence when two brothers or cousins, being claimants to

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1. *A. Br.*, VIII, 2. 6; VIII, 3, 13.
2. *A. Br.*, VII, 3, 14.
3. Mc Crindle, *Alexander's Invasion*, p. 296

the same state, preferred to rule it jointly instead of dividing it into two parts. But just as two swords cannot remain in the same scabbard, two kings can hardly rule in harmony, when the power of each is unlimited and extends over the same kingdom. Such a state must have been often torn by factions and parties supporting the power of each ruler; one can, therefore, well understand why the *Arthaśāstra* does not approve of it[1], and why a Jain monk is advised not to travel through or stay in it. To avoid discord, very often the brother or cousin rulers of a *dvairājya* state would divide the kingdom between them, as was done in the *dvairājya* kingdom, created in Vidarbha by the Śuṅgas[2]. It would appear that though the kingdom was divided, the two rulers would hold joint consultations on all important matters. When the two kings were ruling in harmony, the state was called a two-king-state (*dorajja* in Prakrit and *dvirājaka* in Sanskrit); when they were pulling in opposite directions, it was called a self-fighting state (*viruddharajja* in Prakrit and *viruddharājya* in Sanskrit)[3].

The Vedic literature sometimes refers to *kings* meeting together in an assembly;[4] we are also told that that person alone can become a *king* who is permitted to become one by other kings[5]. These passages probbly refer to the existence of an oligarchy, where power was vested in a council of nobles, each member of which was entitled to call himself a king and had a right to elect the chief of the state, who also was called a k-ng. We shall see later how this type of the state continued to exist down to the 6th century B. C. in some parts of North-Eastern India.

Side by side with monarchical and oligarchical states, there also existed republican governments in ancient India as early as the Vedic age. A passage in the *Aitareya Brāhmaṇa* states that the people in the vicinity of the Himalayas like the Uttarakurus and the Uttaramadras have a *virāṭ* (kingless) type of the state and are, therefore, called *vi-rāṭ* or kingless. When it is remembered how the same passage earlier refers to

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1. द्वैराज्यमन्योन्यपक्षद्वेषानुरागाभ्यां परस्परसंघर्षेण वा विनश्यति ।   VIII. 2

2. *Mālavikāgnimitra*, Act V, v. 13.

3. अरायाणि वा गणरायाणि वा जुवरायाणि वा दोरज्जाणि वा बेरज्जाणि वा विरुद्धरज्जाणि वा *Āchāraṅga-Sūtra*, II, 3, 1, 10.

4. यत्रौषधी: समग्मत राजान: समिताविव । *R. V.*, X. 97. 6

5. यस्मै वै राजानो राज्यमनुमन्यन्ते स राजा भवति न स यस्मै न ।
S. Br., IX 3. 2. 5

CHAPTER III

NATURE, AIMS AND FUNCTIONS OF THE STATE

We saw in the last chapter how the state came into existence in ancient India and what were the different theories advocated about its origin. Let us now see what according to the ancient Indians were to be the nature, aims and functions of the state.

While discussing the origin of the state in the last chatper, we have passingly referred to the conception of ancient Indians about the nature of the state. They regarded it as essencially a beneficient institution evolved in prehistoric times for the better protection of human life and for the better realisation of its higher ideals. The idea that it was a necessary evil to be tolerated, as there was no other alternative, was not subscribed to by any ancient Indian thinkers.

State was no doubt an unwelcome institution to evil-doers, but they had no right to expect that their convenience and feelings should be respected by society, which they were out to disorganise and destroy.

It is owing to the presence of this anti-social element that *daṇḍa* or force becomes the ultimate sanction of government. Ancient Indian thinkers do not desire that *daṇḍa* should make its appearance, every now and then; on the other hand they regard that state as an ideal one where its exercise is rendered almost unnecessary by the willingness of the people to accept the scheme of a righteous life, determined by the code given to humanity by God. This code was binding alike upon the people and the king. If the people were to be guilty of its breach, they were to be punished by the king. If the latter contravened its provisions, he would forfeit his subjects' allegiance, who would be at liberty even to kill him if necessary. In the ideal-state both the king and the subjects were expected to follow the provisions of the Divine Code for peace and prosperity both here and in the life to come.

The historic method being unknown, the evolution of the state through various stages is not discussed by ancient Indian writers. The available evidence however shows that the state in the early Vedic period was still tribal. The Yadus, the Turvaśus and the Bharatas, for instance, who played a prominent part in the Vedic history, had for a long time no

permanent territorial basis for their states ; the latter moved along with the peoples of their tribes and had thus only a tribal basis. In the later Vedic period, however, the state became territorial ; we have clear references to the different tribes settling down in the different parts of the country,[1] and to kings becoming masters both of their people as well as their country (*rāshṭra*).[2] In the later Vedic period the emperor is described as one who rules over the earth bounded by the oceans.[3] The different stages, however, by which the state gradually became territorial cannot be clearly visualised from the scanty evidence avilable to us at present.

What are to be the constituents of a territorial state and how are they interrelated and held together is the question that we have to consider next.

Vedic literature does not enable us to get any idea of what were the contemporary notions about this topic ; we, however, begin to get welcome light from *c.* 4th century B.C., when the political thought had become fairly developed. Both Kauṭilya (VI, 1) and Manu (IX. 294-7) held that the state was not a loose assemblage of parts, each having its own interests and moving at its own will; it was characterised by an organic unity. The king, the ministry, the territory, the resources, the forts, the military forces and the allies constitute, according to these writers, the seven constituents of the state.[4] Later writers like Kāmandaka (I. 10) and Śukra (I, 122-4) regard this as a self-evident truth, and epigraphs also often describe how the kingdom acquired by the heroes, whom they eulogise, possessed all the seven constituents.[5]

Let us now compare these constituents of the ancient Indian state with those postulated by modern thinkers. According to the latter territory, population and central government having a juristic personality, a common will and sovereign powers, are the main constituents of the state.

Let us now see how far any of these constituents find their counterpart in ancient Indian list of the seven constituents, given above.

A. Br., VII. 3. 14. 2. *T. S.*, II. 3. 3-4. 3. *A. Br.*, VII. 3. 14. Some of these seven constituents like the king, the ministers, and high officials (*ratnins*), forts (*purah*) and resources (*bali*) are no doubt mentioned in the Vedic literature, but their mutual relationship as well as their relation to the state have not been discussed there as in later works on the political science.

E. C., V. Channarayapattana, 149 (1183 A. D.).

Of the seven constituents, *svāmin* (king) and *amātyas* (ministers) constituted the central government, which exercised the sovereign powers and imparted the central unity. *Rāshṭra* (territory), *durgas* (forts) *bala* (army) and *kosha* (treasury) constituted the resources of the state. The stage of the tribal state had long passed,[1] and so territory was regarded as an essential element of the state. Forts and armed forces were vitally necessary to defend the very existence of the state and so are regarded as its essential constituents.[2] The defence of the country and the proper discharge of the constituent and ministrant functions of the state required ample resources, and so *kosha* (treasury) is also regarded as indispensable to the very existence of the state. The inclusion of its allies among the constituents of a state strikes us as rather strange. The existence of a state, however, depends, as contemporary history has recently shown in a forcible manner, upon its securing a proper balance of power by making suitable alliances. A large number of small states existed in the Indian sub-continent, and our political thinkers felt that the existence of none could be guaranteed for a long time unless a proper balance of power was secured by wise alliances. It is a little surprising to note that population as such is not mentioned as one of the constituents of the state ; that was probably because it was realised that it was too evident a truth to be specifically mentioned.

The seven constituents of the state are regarded as the limbs ·(*aṅgas*) of the body politic by the Indian thinkers. Some of them like the king and the ministers may be more prominent than others like the forts and the allies.[3] Each limb, however, though by itself it may look unimportant, is indispensable to the body politic, for its functions cannot be efficiently discharged by any other.[4] The state can exist and function properly only if all the limbs of its body politic become mutually

1. The Mālava state was to the north-east of Multan in *c.* 325 B. C., in the Ajmer-Udaipur tract in *c.* 200 B.C. and in modern Mālwā about 400 years later. These migrations were however due to political pressure and were exception and not the rule for the contemporary times.

2. We must not forget that our writers wrote when aeroplanes and atomic bombs did not exist; forts could, down to the 19th century, defy mighty armies for a number of months and years.

3. It cannot be argued that this assumption militates against the organic conception of the state ; for in human body too, some limbs like the brain and the eyes are more important than others like the ears or hands.

4. तेषु तेषु तु कृत्येषु तत्तदंगं विशिष्यते ।
येन यत्साध्यते कर्म तस्मिंस्तच्छ्रेष्ठमुच्यते ॥ *Manu*, IX, 297.

integrated and cooperate with each other.[1] No limb of the body politic can strictly be regarded as more inportant than ahy other.[2]

It is thus clear that ancient Indian thinkers regarded the state as an organic whole. They no doubt regarded the king and the government as the most important limbs of the organism, but others, if less important, were also indispensable for the proper functioning of the body politic. We should not also forget to note that the organic conception of the state is only partially true. The cells and limbs of an organism have no separate existence of their own and cannot function independently. Such is obviously not the case with at least some of the constituents of the state. Forts and resources can exist independently and may be wielded into a new state by some groups of its subjects, who may not be able to see eye to eye with the old government.

Our authorities devote considerable space to describe the seven constituents of the state referred to above, and the excellences and strong points that should be developed in each. Of these the forts and the armed forces need not detain us, as they are constitutionally unimportant. The king, the ministry, the resources and the allies will be discussed in later chapters dealing with the kingship (Chap. V) the central government (Chap. VII), income and expenditure (Chap. XII) and interstate relations (Chap. XIII) respectively. As far as the territory is concerned, our authorities point out that the prosperity of a state will to a great exte.. depend upon the natural resources of its territory and the ease with which it can be defended. It must of course be populated by an energetic and industrious population, for the character of its people determines the destiny of a state more than any other fact or consideration. The territorial size of an ideal state is not discussed by our authorities. They, however, regarded the whole country from the Himalayas to the sea as the proper sphere for the activity of the emperor. As far as the smaller kingdoms were concerned, there were no natural boundaries in India to separate them in most cases ; they were usually

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1. परस्परोपकारीदं सप्तांगं राज्यमुच्यते । *Kamondaka.* IV ,1.

   स्वाम्यमात्यजनपददुर्गकोशदंडमित्राणि प्रकृतयः ।

   अरिवर्जाः प्रकृतयः सप्तैताः स्वगुणोदयाः ।

   उक्ताः प्रत्यंगभूतास्ताः प्रकृता: राज्यसंपदः ॥ *Arthaśāstra,* VI, 1.

2. सप्तांगस्येह राज्यस्य विष्टब्धस्य त्रिदण्डवत् ।

   अन्योन्यगुणवैशेष्यान्न किंचिदतिरिच्यते ॥ *Manu,* IX, 296.

small enough to be well-governed and large enough to be self-sufficient.

Whether an ideal state should consist of people of exclusively one nationality, having the same race, religion and language, or whether it can be a composite political unit of people of different nationalities, belonging to different races, professing different creeds and speaking different languages is a question which has not been discussed by ancient Indian thinkers. This need not surprise us, because it did not arise at all in the ancient period. It is true that a number of foreigners like the Greeks, the Parthians, the Scythians, the Kushāṇas and the Hūṇas invaded and conquered the country and settled down in it as its governors. But they did not remain foreign nationals with a different language, religion and culture for a long time. Within a generation or two all of them used to become completely Indianised and converted into Hinduism or Buddhism. They did not create any problems for the Indian states. The latter used to repose implicit confidence in the new Indianised subjects,[1] who also used to entertain no extra-territorial loyalties.

A state no doubt becomes homogenous if there is unity of language, race and religion among its subjects. Ancient Indian writers have not emphasised upon this point, because there was no necessity whatsoever to do so. Most of the states in ancient India did not differ from their neighbours either in race or in language or in religion. Hindus, Buddhists and Jains lived in all states peacefully and harmoniously. Sanskrit was the international language and Prakrits had not differentiated from one another to such a degree as to become mutually unintelligible. All the foreigners who were coming into the country, used to be rapidly Indianised and completely absorbed into the Hindu community. Thus the different states in ancient India did not at all differ in race, language or religion. Most of them had developed into separate entities primarily owing to individual ambition, administrative convenience or geographical considerations. It did not, therefore, occur to our thinkers that they should emphasise upon the advisability of racial, linguistic or religious uniformity in the population of a state.

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1. Aśoka had appointed a Greek named Tushāshpa as a viceroy over the frontier province of Kathiawar, though there was a Greek kingdom in Persia and Bactria at that time. The Scythian Rudradāman had appointed a Parthian named Suvishākha as his governor over the same province in c. 150 A. D. even though the Parthians were then in power in Persia.

The Aims of the State

The Vedic literature does not specifically discuss the aims or ideals of the state. Incidental observations· made therein, however, enable us to gather that peace, order, security and justice were regarded as the fundamental aims of the state. The king or the head of the state was to be like god Varuṇa, the upholder of the law and order (*dhṛitavrata*) ; he was to punish the wicked and help the virtuous. Religion was to be promoted, morality was to be encouraged and education was to be patronised.[1] The state, however, was to secure not only the moral but also the material welbeing of its citizens. The kingdom of king Parīkshit, idealised in the *Atharvaveda* (XX.127) flowed with milk and honey. All-round welfare of the public was clearly regarded as the chief aim of the state during the Vedic and Upanishadic ages, *i. e.* down to *c.* 600 B.C.

When the literature on politics proper began to be developed, we find that promotion of *dharma, artha* and *kāma* are usually mentioned as the aims of the state. The state was to promote *dharma*, not by championing any particular sect or religion, but by fostering a feeling of piety and religiousness, by encouraging virtue and morality, by extending help to the establishments belonging to all religions and sects, by maintaining free hospitals and feeding houses for the poor and the decrepits[2] and last but not least, by extending patronage to literature and sciences. The promotion of *artha* was. to be procured by encouraging trade, industry and agriculture,' by developing national resources, by bringing fresh land under cultivation, by building dams and canals to make agriculture independent of rain, and by encouraging extensive and systematic working of mines. The state was to promote *kārma* by ensuring peace and order, so that each individual may enjoy life undisturbed, and by offering encouragement to fine arts like music, dancing, painting, sculpture and architecture in order to promote æsthetic culture. The State was thus expected to maintain peace and order and promote moral, material and æsthetic progress of society.

The inclusion of the promotion of *dharma* among the aims of the state has given rise to a considerable misunderstanding

न मे स्तेनो जनपदे न कदर्यो न मद्यपो नानाहिताग्निनं विद्वान्न स्वैरी स्वैरिणी कुतः । *Cha. U.* V. 11. 5.

कृपणानार्थंवृद्धानां विधवानां च योषिताम् ।
योगक्षभं च वृत्तिं च नित्यमेव प्रकल्पयेत् ॥ *Mbh,* XII, 86, 24.

in modern times, which has been to some extent caused by the habit of later writers of describing the king as the champion of *varṇas* and *āśramas*. It is contended that *varṇadharma* or the caste-system in particular is based upon iniquitous principles ; it exhalts the Brāhmaṇa and confers almost divine honours upon him, while it reduces the Śūdras and Chāṇḍālas almost to the position of slaves, deyning them the most elementary rights of ordinary citizenship. The Śūdras were prevented from holding property and were subjected to more heavier punishments than those meted out to the Brāhmaṇas for idendical offences. The Chāṇḍālas were treated worse than dogs. When the state became a champion of *varṇas* and *āśramas*, it became a party to all these iniquities. It enforced the iniquitous *varṇāśramadharma* at the point of the sword to the detriment of the lower classes. It was thus based upon social injustice. It confounded *dharma* with the existing iniquitous social order. It idealised the actual instead of trying to actualise the ideal.

The above criticism is mostly based upon a misunderstanding of the factors that have promoted the development of the Hindu social institutions. Customs and traditions changed in ancient India by the silent operation of social approval or disapproval, and not by the noisy process of a legislative enactment or repeal. The state only enforced what had been previously approved by the social conscience. When society in early period was sanctioning intercaste dinners and marriages, the state had no objection to them. When later on it disapproved both these practices, the state did not propose to encourage them. In early days widows had no right of inheritance ; the property of a person having no heir other than a widow escheated to the state. Later on society decided to recognise widow as an heir of her deceased husband, and though this change adversely affected the interests of the excheqor, the state cheerfully sanctioned it. The recognition of *dharma* as one of the duties of the state did not result in the apotheosis of the *status quo* ; every student of Hindu social institution will concede that changes were gradually and continuously taking place in them. Levirate (*niyoga*), once approved, was later stamped out of existence ; not only the proprietary rights of women, but also those of the Śudras were being constantly enlarged in spite of the opposition* of the earlier writers.

1. Anjaria, *The Nature and Ground of Political Obligation in Hindu State*, pp. 175-188.

It would, therefore, be unfair to attribute the existence of certain iniquities in the Hindu social order to *dharma* being considered as one of the aims of the Hindu state. The state no doubt claimed to be the champion of *varṇadha ma*, but it did not support the Brāhmaṇa's claim to their exemption from the taxation and the capital punishment. It is extremely doubtful whether many cases had occurred in anciant India of the state punishing tne Śūdras and Brāhmaṇa women for presuming to study the Vedas. The prohibition was regarded by the society, including the Śūdras, as divinely ordained, and as there was no material benefit whatsoever to be gained by its violation, there was no incentive to break it. The number of Brāhmaṇas themselves, who studied the Vedas, was microscopically small and provision was made to meet the needs of the religiously-minded persons among the Śūdras and Brāhmaṇa women by throwing open the epics, the *Gītā* and the Purāṇas to them.

There is no doubt that some iniquities existed in the Hindu social order and their number increased in the first millennium of the Christian era. But that was due to the narrowmindedness of the Hindu society of that age and not to the state's making *dharma* as one of its aims. Of course it can be argued that the state should have given a lead in the matter by encouraging a more liberal policy. We should, however, not forget that legislation did not come within the normal activities of the state. Recent experience in our country re the Sharda Act also shows that legislation, far in advance of the social views on the point, tends to remain dead letter. The state was not interested in enforcing caste iniquities ; if any cases actually arose, they must have been decided by the caste or the village Panchāyats, which were purely non-official bodies. The state sought to promote *dharma* by promoting piety and religiousness, by extending equal patronage to all sects and religions and their establishments and by financing works of public utility like tanks, canals, wells, poor houses and hospitals, and not by becoming an instrument in the hands of the church or the priests.

Was the ancient Indian State Theocratic ?

It would be convenient here to examine how far the ancient Indian state was under the influence of theology and to what extent it can be described as theocratic. Under theocracy the head of the church is himself the king, as was the case with the early Khalifas in Islam or as is still the case

with the Vatican kingdom under the Pope. Or the king may
be a mere agent or instrument of the church, as was the case
for some time in Europe during the 8th and the 9th centuries
A. D. The Pope and the bishops at this time claimed the
right to punish the king, if he was not ruling according to the
will of God. Some rulers like Charles the Bold admitted the
right and even the duty of the prelates to suspend the execu-
tions of the orders of the state regarded objectionable by them.
Orders of the Pope were to be regarded as of greater moment
and validity than those of the Emperor, as they had the
authority over the soul as well. Of course, the majority of the
emperors were not disposed to recognise this claim and the
early medieval European history presents an interesting tussle
between the Church and the State.

Faint echoes of a similar conflict between the king and the
church can be heard in the early Indian literature. *Gautama
Dharmasūtra* (*c.* 500 B. C.) claims that the royal authority does
not touch the priests[1] and reminds the king that he can prosper
only if supported by the latter. If he does not employ a
qualified Brāhmaṇa priest, says the *Aitareya Brāhmaṇa*, gods
will not at all accept his oblations.[2] At the time of the coro-
nation, the king three times bows before the Brāhmaṇa ; he
thereby accepts his subordinate position, and as long as he
does so, he will prosper.[3] Rituals were also devised to ensure
the subordination of the Kshatriyas and the Vaiśyas to the
Brāhmaṇas.[4] In the *Rigveda* there is a clear passage to show
that a king, who honoured his chaplain properly, could secure
an easy mastery over his subjects and a smashing defeat over
his enemies.[5] In Europe the popes claimed the right to con-
firm the election of the emperor made by the nobles ;
we do not know whether such a right was advanced in
ancient India.

The above evidence shows that down to the end of the
Brāhmaṇa period (*c.* 1000 B. C.) the priests tried to extend

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1. राजा वै सर्वस्येष्टे ब्राह्मणवर्जम् । I. 11.

2. न वै अपुरोहितस्य देवा बलिमश्नुवन्ति । *A. Br.* VII, 5, 24.

3. स (नृपः) यन्नमो ब्रह्मणे इति...त्रिष्कृत्वो ब्रह्मणे नमस्करोति
   ब्रह्मण एव तत्क्षत्रं वशमेति तद्राष्ट्रं समृद्धं तद्वीरवदाह । *A. Br* VIII. 1.

4. तद्यत्र वै ब्रह्मणः क्षत्रं वशमेति तद्राष्ट्रं समृद्धं तद्वीरवदाह । *A.Br.* VIII. 9.
   ब्रह्मणे क्षत्रं च विशं चानुगे करोति *P. Br.* XI, 11, 1.

5. तस्मिन्निवशः स्वयमेवानमन्त यस्मिन्ब्रह्मा राजनि पूर्वमेति । *R.V.* IV, 50 7. 9.
   स इद्राजा प्रतिजन्यानि विश्वा शुष्मेण तस्यौ अभि वीर्येण ।

their sway over the monarch and through him over the state. It is but natural that many kings should have opposed this tendency ; the bitter curses that are pronounced against the ruler who confiscates the cows *i.e.* the wealth of the Brāhmaṇa[1] seem to be directed against those monarchs who were opposing the effort of the priests to forge a theocratic state, where their voice was to reign supreme. Unfortunately we have no detailed information about any specific and individual cases, as we have in the case of early medieval Europe.

In the course of time, however, the church and the state or the Brāhmaṇas and the Kshattriyas made up their quarrel. It was realised that the two could prosper only if they cooperated with each other. Each conceded a qualified divinity to the other, as both realised that they could prosper only if there was a complete harmony between them. It is interesting to note that this view agrees closely with that of Gregory VII, who maintained that the kingship and the Popedom were both divine, there position being comparable to that of the two eyes of the human body.

The general trend of the evidence of the Brahmanical literature is to show that the prince or the state was under the leading strings of the Brāhmaṇas or the church. The royal chaplain (*purohita*) knew rituals which could either promote or retard the welfare of the king and the state. The aim of the government, as shown already, was to promote *dharma*, and the laws which it enforced were regarded as divine in origin or inspiration. Brāhmaṇas or priests not only claimed to be above the state but they also put forth the right for exemption from taxation and capital punishment. The punishments that could be given to them were to be milder than those to be inflicted upon others.

There is, therefore, a considerable force in the view that the ancient Indian state was theocratic to a great extent. We should, however, note the limits to the theocracy and the period during which it was operative. The claims that have been put forth on behalf of the Brāhmaṇas in the Brahmanical literature are to a great extent exaggerated. They represent the wish more than the reality. There is no doubt that the influence of the royal chaplain over the king was great during the age of the Vedas and the Brāhmaṇas. Its extent, however, should not be judged merely by the implications of the passages

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1. *A. V.*, XII, 5 ; XIII, 3. 1-25.

referred to above. For there are other passages in the Brāh-
maṇa literature itself, which give the other side of the picture.
A passage in the *Taittirīya Brāhmaṇa* confesses that a king, at
his sweet will, can lord it over the Brāhmaṇas.[1] Another in
the *Aitareya Brāhmaṇa* admits that a king can expel the Brāh-
maṇas at will.[2] The *Bṛihadāraṇyaka Upanishad* states that it is
the Kshattriya or the king who enjoys the highest status in
society ; the Brāhmaṇa sits lower than and next to him.[3] When
princess Śarmishṭhā suspected that Devayānī, the daughter of
the royal chaplain, was assuming an air of superiority, she
sharply reprimanded her :-'Enough of presumptuousness. Sitting
in a humbler place your father goes on flattering my father day
and night. You are the daughter of him who begs and
flatters, I the daughter of him who donates and is praised.'[4]

It would, therefore, be wrong to suppose that even in the
Vedic period, the king or the state was under the leading
strings of the Brāhmaṇa or the Church. Generally speaking
the priest was treated with decorum ; the spiritual help offered
by his rituals and sacrifices was welcome. But the king was
far from becoming a mere instrument in the hands of the
priest ; he could show him his proper place or even expel him,
if he tended to become presumptuous. Brāhmaṇas no doubt
claimed a number of priviliges including exemption from taxa-
tion and the capital punishment, but it will be shown in
Chap. XII how they existed more in their law books than in
actual practice. In the course of time, the divinity of the
king was recognised as will be shown in Chap. V. This, how-
ever, did not make the king infalliable or even the sole inter-
preter of the divine will. Laws, though regarded as divine,
were really based upon social customs and traditions. By
sanctioning their operation, the state did not become an
instrument in the hands of the Church or the priests ; it rather
became the mouthpiece of the social will.

From about the 4th century B. C. the influence of theology
on the state began to decline further. The Vedic sacrifices

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1. यदा वै राजा कामयते अथ ब्राह्मणं जिनाति । III, 9, 14.

2. (ब्राह्मणः) आदायी आप्यायी अवसायी यथाकामं प्रयाप्यः । VII, 29.

3. तस्मात्क्षत्रात्परं नास्ति तस्माद्ब्राह्मणः क्षत्रियमधस्तादुपास्ते । I, 4, 10.

4. आसीनं च शयानं च पिता ते पितरं मम ।
   स्तौति बन्दीव चाभीक्षणं नीचैः स्थित्वा विनीतवत् ।
   याचतस्त्वं हि दुहिता स्तुवतः प्रतिगृह्णतः ।
   सुताहं स्तूयमानस्य ददतोऽप्रतिगृह्णतः ॥ I. 72, 9-10.

themselves fell into disgrace and disuse, which naturally
undermined the influence of the chaplain. Politics developed
into a special science and princes naturally studied it assiduous-
ly in preference to the Vedic lore or the Upanishadic philo-
sophy. Positive law began to be differentiated from religious
rituals and traditional customs ; and the school of politics
began to aver that the former was more important than the
latter.[1] Hindu polity thus succeeded in emancipating itself
from the leading strings of theology by the beginning of the
Christian era. The king was no doubt regarded as the pro-
tector and enforcer of Dharma, but we have shown already
how this did not make the state theocratic. His duty was to
promote piety and religiousness by extending equal patronage
to all sects and religions and to enforce customary laws
approved by the social conscience ; he was not to be an agent
of a particular religion or sect working to promote its interests
or seeking to carry out its commands.

Functions of the State

Having finished our discussion of the nature and aims of
the state, let us now consider its functions.

Modern writers usually divide the functions of the state
into two categories, constituent and ministrant. Under the
former class fall those functions of the state which are abso-
lutely necessary for the civic organisation of society, viz.,
defence against foreign aggression, protection of person and
property, preservation of peace and order and adjudication.
Under the latter class fall those activities of the state which
it undertakes to promote the welfare of the people, to increase
their wealth by a cooperative effort, and to add to their
amenities of life. Education, sanitation, postal services, trade
regulations, roads and communications, development of mines
and forests, care of the poor and invalid, etc. would come
under the ministrant functions of the state. The modern
tendency of the state is to increase its ministrant functions.

The available evidence shows that for a long time the state
in ancient India confined itself only to the constituent functions.
The Vedic state protected citizens from foreign aggression.
It also maintained internal order by enforcing respect for the

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1. धर्मश्च व्यवहारश्च चरित्रं राजशासनम् ।
विवादार्थश्चतुष्पादः पश्चिमः पूर्वबाधकः ॥ *Arthaśāstra* III, I.
धर्मशास्त्रविरोधे तु युक्तियुक्तो विधिः स्मृतः ।
व्यवहारो हि बलवान्धर्मस्तेनावहीयते ॥ *Nārada* I, 41.

traditional law.   Like Varuṇa, the celestial king, the Vedic
monarch was *dharmapati*,[1] the protector and enforcer of law,
morality and *dharma*.   Even the civil and criminal cases were
decided by popular bodies (*sabhās*), perhaps presided over by a
royal officer.

With the development of the political literature from *c.*
4th century B. C., we begin to get greater information about
the functions of the state.   The evidence of the *Mahābhārata*[2]
and the *Arthaśāstra*[3] shows that the sphere of the state activity
was very extensively extended between the Vedic and the
Mauryan age ; we, however, are unable to trace the different
stages of this development owing to the lack of evidence.

The activity of the state, as envisaged by the *Mahābhārata*
and the *Arthaśāstra*, relates to all the aspects of human life,—
social economic and religious.   The state was not regarded as a
necessary evil, whose restraint activities were to be reduced to
the minimum.   The *laissez faire* theory, which advocates that
the sphere of the state activity should be reduced to the
narrowest functions consistent with the preservation of law and
order, was not at all popular.   The activity of the state was
to embrace the whole of human life, both here and hereafter.
The state was to offer facilities to religions and sects to develop
on their own lines and foster and inculcate piety, morality and
righteousness.   It was to improve the social order and to
encourage learning, education and art by subsidising learned
academies and extending patronage to scholars and artists.
It was to establish and maintain rest houses, charity halls and
hospitals and relieve the distress due to floods, locusts, famines,
pestilences and earthquakes.   It was to see that the population
is evenly distributed and encourage colonisation of fresh lands.
It was to enrich the resources of the country by developing
forests, working mines and constructing dams and canals in
order to make agriculture independent of rain as far as possible.
It was to offer active help to trade and industry, but also to
protect the population against capitalistic selfishness, if
merchant princes sought to corner the market and raise the
prices.   It was to regulate the vices of the community by
appointing its own officers to supervise over wine booths, dice-
halls and prostitutes.

The well-organised governments in ancient India like
those under the Mauryas and the Guptas discharged most of

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1. Ś. *Br.* V. 3. 3. 6 and 9
2. Sabhāparvan, Chap. V.
3. Books II.

the above functions. It is, however, possible that the smaller states may have confined themselves to a restricted sphere of state activities, especially in troubled times.

The jurisdiction of the state in ancient India thus extended over almost all the spheres of life. Did it not interfere with individual liberty ? Did it become possible because the very conception of liberty was not properly developed[1] or because people were disposed to accept the state's claim to omniscience or infallibility ?

State in ancient India was regarded as the centre of society and the chief instrument for its welfare, and hence it was permitted to have a wide sphere of activity. Individual liberty did not appreciably suffer in consequence, primarily because the state discharged its multifarious functions not exclusively through its own bureaucracy. The market superintendents and trade officers belonged to the state bureaucracy, as also the superintendents of morality, but these worked in close cooperation with trade guilds and Brāhmaṇa or Śramaṇa assemblies, where the voice of the people had the upper hand. The state and its officers only tried to harmonise the divergent interests after full consultation with the guilds and local assemblies, which were more stable institutions than the state itself and, therefore, enjoyed very considerable prestige and confidence. It encouraged education by liberal grants to colleges and universities, but never thought of controlling these institutions by its own Director of Public Instruction and his subordinate staff. It made liberal grants to Hindu temples and Buddhist monasteries, but never cared to dictate the dogmas or tenets that were to be encouraged under their auspices. The principle of decentralisation was carried to a very great extent and extensive powers were delegated to the village *Panchāyats*, city councils and trade guilds ; and the state carried on its socialistic activities with the active cooperation of these popular bodies. There was hardly any encroachment on the individual liberty. Ancient Indians permitted the state a wide sphere of activity, not because they did not value individual liberty, but because they felt that state could organise them best by reconciling conflicting interests, if its bureaucracy worked in closer cooperation with well-established popular bodies like the trade guilds and village councils.

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1. This is the view of Prof. Anjaria, *Nature and Ground of Political Obligation*, p. 245.

STATE AND CITIZEN

The question of the relationship between the state and the citizen is undoubtedly an important topic. It was discussed in ancient times only by very few western political thinkers like Aristotle. Since the rise of democracy during the last two centuries, modern writers have begun to devote considerable space to the discussion of the mutual rights and responsibilities of the state and the citizen in the different spheres of the individual and communal life, enquiring whether there is any real conflict between the interests of the two, and if so, how it can be resolved.

Ancient Indian political thinkers have hardly devoted any space to the discussion of these problems, and no wonder. While discussing the relations between the state and the citizen the political science seeks mainly to define the mutual rights of the two parties. Hindu constitutional writers have approached the problem from quite a different point of view. They usually describe not the rights of the citizens, but the duties of the state ; the former are to be inferred from the latter. Similarly they discuss the duties of the citizens, from which we are to indirectly infer the extent of the control the state could exercise over its subjects. In our ancient works, therefore, there is no systematic discussion of the problem from the point of view of the rights of either party.

European writers, whether of the ancient or the modern times, further look at the question from a purely secular and constitutional point of view. They separate the civic and political life of the citizen from his religious and moral life, and define his rights as against the state, which is often assumed to be hostile to them. Ancient Hindu writers, on the other hand, considered the political duties of the citizen as part of his general duties (*dharma*) and assumed that normally there should be no conflict between the state and the citizen, necessitating a clear-cut definition of the rights and obligations of both. The very aim of the state was to promote the all-sided progress of the citizens both in this life and the life to come. If there is no state, there would prevail the law of the jungle. State is thus indispensable for the progress and happiness of the individual, and its main aim is to promote them. What is to be done if the state does not discharge its duties properly

or the individuals do not carry out their obligations faithfully has received but scant attention from our ancient thinkers. It was assumed that each party would normally abide by its own *dharma* or duty.

The ancient states in the west like those in Greece and Rome did not look upon all the inhabitants of the kingdom with the same eye. Those who had the right and privilege of actively participating in the government of the state and in making its laws and regulations were called citizens. They were sharply distinguished from the large body of inhabitants who were in a servile or semi-servile condition, hardly possessing any civic or political rights. Aliens formed another class, the members of which did, no doubt, not suffer from any disabilities, but nevertheless did not enjoy the privilege of participating in the constitutional life of the country.

The constitutional writers of ancient India have not made any differentiation among the residents of the country based upon the possession of franchise. We are quite in the dark about the details of the political life in the Vedic period. At that time popular assemblies (*samitis*) existed and controlled the king's activity and powers to a great extent.[1] It is quite possible that not all the inhabitants had the right to become the members of the *samiti* ; only a small section of the population may have had this right, and it may have constituted a privileged class corresponding to the aristocratic order in the modern times or to that of the privileged class in ancient Greece. In the republican states, there existed a privileged aristocracy which appears to have been the custodian of the political rights. But as we have very little evidence to guide us, we can hardly say anything about the rights of this privileged class and its relation to the state on one side and the ordinary inhabitants on the other.

When the curtain rises to reveal to us the historic period from *c.* 500 B. C., we find the *samitis* or the Central assemblies disappearing from the scene. Our constitutional thinkers, therefore, do not divide the inhabitants into two classes, citizens who possessed franchise for Central Assemblies and others who did not enjoy it. The village councils, town committees and district boroughs, however, developed in a remarkable manner during this period, and their members are frequently referred to. It was, however, the status, experience

1. See Chap. VII.

and seniority which raised individuals to the executive committees of these bodies, and not a popular election in the modern sense of the term. In south India we definitely knôw that the members of the village Panchāyats were selected by lot from among people possessing high moral, literary and property qualifications. The villagers, however, had a general assembly which is described as *pūga* in the Smṛiti literature. It consisted of all the village elders, variouly described as *mahattaras*, *mahājanas* or *pɛrumāls* in the different parts of the country. This was a truly democratic body because all castes and professions were represented in it, including even the untouchables.[1] As there was no distinction between privileged and non-privileged classes in the sphere of the local government, it is not referred to by our constitutional writers.

Distinction between citizens and aliens, which was almost universal in the past and is very prominent in modern times, has not been made by Hindu writers. This need not surprise us. There was a pervading cultural unity among the different states in the sub-continent of India, and, therefore, a Gauḍa (Bengali) did not appear as an alien to a Lāṭa (Gujarati) or a Kashmirian to a Karnataki. Provincial differences were no doubt developing, but they had not yet become strong enough to induce the independent states in the different parts of the country to impose the restrictions and disabilities of aliens on the inhabitants of adjacent states. Brāhmaṇas from Mahā-rāshtra received land grants from the rulers of Gujarat ; poets from Kashmir became court poets in the kingdom of Karnatak ; and soldiers from the Deccan often enlisted in the armies of the rulers of northern India. All this became possible owing to the realisation of the cultural unity of the country, inspite of its division into separate sovereign states.

It is, however, interesting to note that no disabilities seem to have been imposed even upon foreigners as aliens. A Greek was serving as the viceroy of an important frontier province under Aśoka ; a Parthian was serving as a governor under the Śaka king, Rudradāman I (c. 135 A. D.) and a Hūṇa officer was serving in an important post in the administration of king Yaśovarman (c. 725 A. D.). Muslims were permitted to settle down in Western India by the Rāshṭrakūṭas and allowed to have their own officers to administer their personal law.

1. See Chap. XI.

The non-recognition of the aliens as a separate class was due partly to the catholic spirit of Hinduism and partly to its confidence of completely absorbing the foreigners in its body politic by means of its superior culture. The Greeks, the Scythians, the Kushānas and the Hūnas were all absorbed into Hinduism, though they first came into the country as conquerors. Hindu constitutional writers, therefore, did not think it necessary to differentiate between citizens and aliens.

The right to make the laws, or to elect representatives who will make them, is regarded as an important privilege of the citizens. This notion, however, was not possible in ancient India, because laws, if religious, were regarded as revealed, and if secular, were believed to be determined by customs and traditions. Legislature of the modern type to enact laws it the modern sense of the term did not exist.

In modern times it is regarded as very essential that the state should afford equal opportunities to all its citizens. Very often, however, these opportunities are equal only in theory and rarely in practice. It is, however, contended that in ancient India the state failed to discharge this primary duty, because the different castes had no other alternative but to follow their predetermined professions. There were, therefore, no equal opportunities for all.

This objection is, however, only partially true. The duties of the castes and the professions, which they had, to follow, were determined not by the state but by social customs and traditions. When these were permitting full freedom in the choice of professions, as was the case down to *c.* 100 B. C., the state was not pinning down the different castes to certain predetermined professions. Even Kshatriyas and Vaiśyas could become teachers of the Vedas. Later on, however, professions became hereditary and the Smṛitis began to prescribe that the members of the different castes should normally restrict themselves to their ancestral professions. Smṛiti rules in this respect were based upon actual practice, and if there was an absence of equal opportunities to all, the blame lies not on the state, but on the society. It is possible to argue that the state should have carried on active propaganda against these restrictions, but that was hardly possible in an age which believed that they were based upon divine or semi-divine sanction. Epigraphical evidence, however, shows that in spite of the Smṛiti rules, there were many cases in actual practice,

where individuals did not follow their hereditary professions ; it is to the credit of the state that it did not use its powers to stop such practices and render individual choice altogether impossible. It appears that it was only in the case of the priestly profession that the prohibition was real and effective. No non-Brāhmaṇa was ever permitted to officiate as a priest or to teach the Vedas in the post-Upanishadic times ; it is not unlikely that the state may have, on rare occasions, punished the delinquents in this connection. But it should not be forgotten that the privilege to become a priest or a Vedic teacher was really a privilege to beg ; the priest's professon no doubt enjoyed a high status but brought a very low and insufficient income. Society further believed that the rule which confined this profession to the Brāhmaṇa caste was divine and its infringement would lead to eternal hell. If the state, therefore, became a party to the enforcement of the rule, which made priestly duty a monopoly for the Brāhmaṇas, it took a step which was acquiesced in by more that 99 per cent of the non-Brāhmaṇas themselves.

Equality of all citizens before the law is one of the fundamental features of a good state according to the modern notions. It has to be admitted that it did not exist in ancient India. Lighter punishments were recommended to the Brāhmaṇas in comparison to the other castes for the same offence. Smṛitis no doubt say that the sin of a guilty Brāhmaṇa is greater than that of a Śudra and so his spiritual punishment in the other world would be heavier. Our respect for them, however, would have become greater, if they had laid down a heavier punishment for the Brāhmaṇa also in this life, proportionate to his higher sin. In fairness, however, it has to be admitted that this is too much to expect. Everywhere in the world till quite modern times, status determined the punishment of the culprit, if not in theory at least in practice. Only a nominal punishment was imposed on the citizen in ancient Greece and Rome for the murder of a slave. In the Anglo-Saxon times the *wergeld* for the murder of a serf was very small, as compared to that prescribed for the murder of a freeman or a knight. The legal inequalities in France down to the end of the 18th century were very glaring. It is, therefore, rather unreasonable to expect that equality of all before the law should have existed in ancient India in the full measure. Smṛitis have further exaggerated the picture to a great extent ; we know for instance, that Brāhmaṇas were not in actual practice, exempt from the capital punishment, as Smṛiti-

writers would like us to believe. The *Arthaśāstra* shows that they were executed by drowning, if found guilty of treason.

. The state ensures protection for the person and property of the citizens and seeks to promote their all round progress. It, therefore, naturally expects the citizens to cooperate with it wholeheartedly by obeying its orders and laws. Ancient Indian thinkers have naturally emphasised this duty. The state in modern times further expects its citizens to fight for it, and even to die for it, if necessary. The ancient Indian state entertained no such expectation with reference to all its citizens in historic times owing to the emergence of the caste system. It was the duty of the Kshatriya to fight and protect ; it was an indelible stigma for him to run from the battle field to save his life. Other castes were to help the state not by fighting on the battlefield, but by providing the sinews of war by the fruits of their labour, trade and industry. The age did not believe in conscription, but in the division of labour.

Village communities, however, inspired intense local patriotism, and scores of cases are on record of people of all classes and castes dying in the defence of the village or its cattle. Numerous *virgals* or hero-stones, that are particularly common in the Deccan and south India, show that when the safety of the village was threatened, people from all castes came forward to fight and die for the community ; we sometimes find even women fighting and dying on such occasions.[1]

The normal type of government, envisaged by our constitutional writers, was monarchy. They, therefore, usually emphasise upon the duty of the soldier or the citizen to die for his king, rather than for his country. The same was the case in the west till the emergence of the national state in the modern period.

What may be described as patriotism for the state in the abstract did not much develop in ancient India for obvious reasons.[2] The large number of states into which the country was divided did not usually differ from each other in religion, culture and language. For instance, the kingdom of Kāśī (Banares) could hardly be differentiated from that of Kośala

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1. *E. I.*, VI,163 ; *S. I. E. R.*, 1921, No. 73 ; *E. C.*, I. No. 75.
2. It may be pointed out that the sentiment of national patriotism was practically unknown in Europe before the partition of Poland at the end of the 18th century. See Laski, *Grammar of Politics*, Chapter VI.

(Oudh), or the kingdom of Aṅga (Bhagalpur) from that of Vaṅga (Bengal). There were hardly any natural boundaries dividing the Gahadwāl, the Chandella and the Chāhamāna kingdoms of the 12th century. The absence of natural boundaries and the presence of a common homogenous culture did not foster any feeling of intense local or state patriotism. Wars that were taking place were due more to dynastic jealousies or ambitions than to narrow local patriotism. The conqueror moreover was expected to enthrone a relation of the defeated king and respect the local laws and customs. People in general, therefore, apart from the ruling classes and the army, did not take keen interest in the fortunes of the wars. From one point of view, it may be argued that they lacked patriotism, but from another point of view, it may be pointed out that they did not develop narrow provincialism. Had the people of the dozen states, into which India used to be usually divided, developed intense feeling of territorial patriotism, driving them to fly to the throats of one another with the intense hatred of deep-rooted enmity, the cultural unity, which pervades the country at present, would have become impossible.

For India or Bhāratavarsha as a whole Indians did feel a great love and patriotism and whenever its religion, culture and independence were at stake, they came forward to lay down their lives in its defence. No body, who studies the opposition offered to Alexander the Great, can deny the existence of true patriotism in the Indians of the age. Brāhmaṇa philosophers were the leaders of the patriotic movement in lower Sindh and were hanged by the score by Alexander, whose task was becoming more and more arduous on account of the partiotic movement, inspired by them.[1] One of them, when taken prisoner and condemned to death, was asked just before his execution as to why he had incited the people and the king to revolt. He boldly replied, 'Because I wished them to live with honour or to die with honour'.[2] Unfortunately we have no authentic account of the opposition offered to the Śakas, the Pahlavas and the Kushāṇas, but such scanty information as we possess shows that the states like those of the Kuṇindas, the Yaudheyas and the Mālavas continued their resistence movement for decades, till they were eventually able to regain their independence. Important states in northern' India

1. Mc Crindle, *Ancient India, its Invasion by Alexander the Great,* p. 159-160.
2. Ibid p. 314.

joined their resources in order to oust the Hūṇas. When it
became clear that the Muslim conquest was a serious threat
to the culture and religion of the country, most of the impor-
tant states in northern India made a common cause under
the impulse of patriotism and offered a united front near
Peshawar in 1008 A. D. 50,000 Hindus laid down their lives
in the defence of the Somanātha temple before Mahmud of
Ghazni could force his entry into it in 1024 A. D. Those who
thus died for their religion and country no doubt believed
intensely that Bhāratavarsha was so holy a land, that *svarga*
and *moksha* is possible only by a birth in it and therefore even
gods desire to be reborn within its territory.[1] A proverb
states that the mother and the mother-country are even
greater than heaven[2] and the history of the opposition to
foreign aggression shows that Hindus did act up to it.

Grounds of Political Obligation

The citizen is bound to the state by a number of political
obligations and we shall briefly state the grounds which,
according to the ancient Indian thinkers, justified their
imposition.   State was regarded as the only agency that
stood between the citizen and the anarchy ; it was, therefore,
but meet that he should lend all his support to it and carry out
the obligations imposed by its rules and regulations. If the
power and prestige of the state were not there, says Manu
(VII. 20-24), the strong will fry the weak like fish on the ovan,
most people will give up their appointed duties, and even dogs
will begin to lick the oblations intended for gods. Even gods
discharge their divine functions because they are afraid of the
punishment that would otherwise be imposed upon them by
the Supreme Creator.

The divinity of the king was also regarded as justifying the
political obligations of the citizen. The king is a veritable
divinity, says Manu (VII. 8), and should therefore, be obeyed.
It will be shown in the next chapter how this theory of king's
divinity did not, however, impose an absolute obligation to

1. कर्मभूमिरियं स्वर्गमपवर्गंच गच्छताम् ।
    तत्पुण्यभूमिनन्यत्र संप्राप्तिः पुण्यपापयोः ॥
    गायन्ति देवाः किल गीतकानि धन्यास्तु ते भारतभूमिभागे ।
    स्वर्गापवर्गस्य च हेतुभूतौ भवन्ति भूयः पुरुषाः सुरत्वात् ।
                                        Mārkandeya Purāṇa.

2. जननी जन्मभूमिश्च स्वर्गादपि गरीयसी ।

obey, and how citizens were permited to depose and even to execute a king, if he becomes guilty of gross misbehaviour and misgovernment.

Laws were also regarded as divine in origin and, therefore, the citizen was expected to obey the state which was an agency for their enforcement. The citizen, however, did not become a slave of antiquated laws, because the custom, if not the state, was permitted to change them in a gradual manner.

We have already shown how some of the thinkers of ancient India have advanced the contract theory for the origin of state. People agreed to obey the king and pay him the taxes because he undertook to protect them. Political obligations would thus arise out of the initial contract, express or implied. It must, however, be noted that our constitutionalists have laid down that if the king is unwilling or unable to carry out his part of the contract by protecting the people and ensuring a prosperous government, they should forthwith kill him like a mad dog.[1]

The *saptāṅga* theory of the state, already explained before (pp. 31-33), gives a further ground for political obligations. Government and citizens are both limbs of the body politic ; they can function only in cooperation with each other and will both perish if there is a conflict between the two. The state seeks to bring about the moral and material progress and prosperity of the citizens by its measures and efforts ; it can succeed in its mission only if the latter offer it hearty cooperation by discharging their obligations to the state. Enlightened self-interest, therefore, demands that since the state is engaged in promoting the progress of its citizens in moral, economic and aesthetic spheres, the latter should make the state's onerous task easy by their hearty cooperation in discharging all their political obligations.

बहुं वो रक्षितेत्युक्त्वा यो न रक्षति भूमिपः ।

स संहत्य निहंतव्यः श्वेव सोन्माद आतुरः ॥ *Mbh.*, XIII. 96. 35.

CHAPTER V

KINGSHIP

Although other types of state existed in ancient India, as shown in the second chapter, monarchy was the most common form of government. We shall, therefore, proceed to discuss the various problems connected with the kingship in this chapter.

The Vedic literature has some speculations about the origin of kingship. Once upon a time, we are told, there was a war between demons and gods, in which the latter were being constantly defeated. Gods, therefore, assembled to survey the situation with a view to remedy it. After analysing the position, they came to the conclusion that they were being overpowered because they had no king. They then decided to make Soma their king and leader, and then they succeeded in winning victory.[1] Elsewhere we are told that Indra was made their king by gods because he was the most illustrious and powerful among them, as also the most senior.[2] In a third place we are informed that Varuṇa wanted to be the king of gods, but the latter would not accept his leadership. He then learnt a particular chant form Prajāpati, his father, which made him superior to all other gods ; then his kingship was acknowledged by them.[3]

The above parables indicate clearly that the ancient Indians believed that the kingship arose out of a military necessity, and that a king must be a capable general whose leadership is acknowledged by all. Sucess in war becomes easy only if the leader of the nation possesses strength, vigour, wisdom and energy. When a person is selected to lead his side on account of these qualities and eventually wins victory for his side, his position becomes stronger and stronger. He eventually attains the status of the king and if he has able sons, his office tends to become hereditary. In the Vājapeya sacrifice performed at the coronation of a king there is a symbolical chariot race in which the king comes out first. This element in the ritual enables us to get a glimpse of that dim and distant past when the military capacity of a leader was

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1. अराजन्यतया वै वो जयंति राजानं करवामहें इति । *A. Br.*, 1, 14.
2. *T. Br.*, II. 2. 7. 2.
3. *J. Br.*, III. 152.

sought to be tested by the chariot race,[1] before offering him the kingship.

We have seen already how the society in the Vedic period was patriarchal, and how several *kulas* (families) made a *viś* (a local community) and several *viśas* a *jana* (tribe). Those among the *kulapatis*, who were noted for their strength and leadership, used to become *viśpatis*. From among the *viśpatis*, one would rise to the position of the *janapati* for similar qualities, sometimes demonstrated in the chariot race.

Early Indian speculations and the known evolution of the Hindu family, therefore, show that kingship arose out of the patriarchal atmosphere prevailing in society. A *kulapati* who was prominent for his bravery and leadership, would become the *viśpati*. The usual tendency, however, was to assume these qualities in the leading member of the senior-most family; an actual election would arise only in a doubtful case, where it was not clear as to who was the legitimate heir.

The Vedic literature is pre-eminently religious; yet it does not suggest that kingship was connected with or originated from the priestly office. It is interesting to note that the Vedic king discharges no priestly functions, nor does he preside over any sacrifices performed for the commnuity as a whole, as was the case with kings and magistrates in ancient Egypt, Greece and Rome. The Aśvins, we are told, obtained divinity through their medical skill, but the Vedic literature does not refer to a physician becoming a king on account of his professional achievements.

The caste system had not become rigid in the Vedic period and so we cannot, strictly speaking, talk of the caste of the Vedic king. Later on when the caste system was fully evolved, the king usally used to belong to the Kshatriya caste. In the course of time, however, non-Kshatriyas, *viz*. Brāhmaṇas, Vaishyas and Śudras and non-Aryans *viz*. the Scythians, Parthians and the Huṇas established their own dynasties and

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What air supremacy is in the modern warfare, supremacy in horsemanship and chariot-driving was in the Vedic period.

Alexander's historians have observed that the Kathas, 'who enjoyed highest reputation for courage and skill in the art of war' used to choose the handsomest man as their king. (Mc Crindle, *Ancient India*, p. 38). If true, this may indicate that military qualifications being equal, the handsomer candidate was chosen; it does not show that beauty was preferred to bravery.

the term *rājan* began to be applied even to non-Kshatriyas
who were actually ruling over a kingdom.[1]

Coronation Ceremony[2]

A few words may here be said about the coronation cere-
mony, which was performed at the time of the accession of
the king since very early times. We are not very much con-
cerned here with its ritualistic details ; as students of polity
we have to understand its constitutional significance. The
name of the coronation ritual was Rājasūya and its details are
given in the Brāhmaṇa literature ; but they continue to be
followed to the modern times. The ceremony divides itself into
three parts, preliminary rituals, the coronation itself and post-
coronation ceremonies. Preliminary rituals mainly consisted of
the *ratni*-oblations, which the king was usually to offer at the
houses of his different *ratnins* or ministers and high officials.[3]
That the king is to visit the houses of these dignitaries for this
purpose shows that the approval of his accession by the gover-
ning class and its representatives was regarded as essential in
ancient times. The ritual performed in the houses of the *ratnins*
also served to create a feeling of attachment and loyalty in their
mind to the new king.

The actual coronation followed on the second day. The
king was annointed and then seated on a throne covered with
tiger skin, where he was sprinkled with sacred waters brought
from the holy rivers and seas. The priest, of course, first per-
formed this ceremony with the proper Vedic Mantras, which
prayed that God Savitṛi should endow the king with energy
and driving power, Indra with ruling capacity, Bṛihaspati
with eloquence, Mitra with truth, Varuṇa with the capacity
to protect the law. The sacred texts emphasied that the pro-
tection of the law was the most sacred duty of the king.

It is interesting to note that later on a **Rājanya** *i.e.* a
Kshatriya and a Vaiśya also took part in the king's annoint-
ment. The priest, the Rājanya and the Vaiśya were probably
regarded as the representatives of the three main groups into
which the Aryan society was divided at that time and the
association of all of them in the ritual may have been intended

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1. तच्च राज्यमविशेषेण चत्वारोऽपि वर्णाः कुर्वाणा दृश्यन्ते । तस्मात् सर्वे
राजानः । *Tantravārtika,* p. 580.
2. *Sat. Br.,* V. 2 and 3 ; *Ait. Br.,* VIII. 15.
3. *Sat. Br.,* V. 3, 1.

to convey a general acceptance of the new king by the community. The Mahābhārata records the association of the representative of the Śudra and lower castes also at the coronation of Yudhishthira.

There is no doubt that before the coronation the sacred texts require the king to take an oath. Some writers have argued that this corresponded to the coronation oath of the modern times, wherein the king bound himself to govern righteously and refrain from oppressing the people.[1] The text and context of the oath, however, makes it quite clear that it was an oath by which the king bound himself not to do harm to the priest in view of the sacred powers which he was invoking at the time of the coronation for the prosperity and safety of the king.[2] There is nothing in the texts or their context to show that the officiating priest was regarded as a representative of the society. In later times, however, the king was formally required to take an oath[3] at the coronation that he would never transgress provisions of Dharma. What was to be done if this vow was not kept is nowhere indicated.

After the coronation ritual was over, the king went out for a state drive either in a chariot or on an elephant. On his return a durbar was held where the representatives of the different classes came and offered their homage to the new king. This was followed by a game of dice and a chariot race in the Vedic period and by other suitable festivals in later times.

Was Kingship elective ?

There is considerable difference of opinion as to whether the kingship was elective in ancient India. There is no doubt that it was so *in some cases* in the early Vedic period. A pas-

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1. E. G. Jayaswal, *Hindu Polity*, 1st Edi., II, p. 28.
2. Cf. Ait. Br. VIII, 15:—एतेनेन्द्रेण महाभिषेकेण क्षत्रियं शापयित्वाऽभि-
   षिंचेत् । स ब्रूयात्सह श्रद्धया याञ्च रात्रिमजायेऽहं यां च प्रेतास्मि
   तदुभयमन्तरेण इष्टापूर्तं मे लोकं सुकृतमायुः प्रजां वृञ्जीथा यदि
   ते द्रुह्येयमिति । 'ते' obviously refers to the priest performing the
   coronation ritual.
3. Compare the oath administered to king Vena ; Mbh., XII, 58, 115-6:
   प्रतिज्ञां चावरोहंस्न मनसा कर्मणा गिरा ।
   पालयिष्याम्यहं भौमं ब्रह्म इत्येव चासकृत् ॥
   यश्चात्र धर्म इत्युक्तो दण्डनीतिव्यपाश्रयः ।
   तमशंकः करिष्यामि स्ववशो न कदाचन ॥

sage in the *Rigveda* seems to refer to the people (*viśas*) electing a king;[1] another passage in the *Atharvaveda* expresses the hope that the king to be coronated may be elected by the people.[2] But very probably not the whole population voted on these occasions. A passage in the later Vedic literature tells us that he alone becomes a ruler whose leadership is accepted by other kings;[3] a prayer at the coronation prays that the king should become preeminent amongst his peers.[4] It is, therefore, very likely that not the whole population but its leaders like the *kulapatis* and the *viśpatis* had a voice in the election of the king ; people in general, like the curiae in Rome, may at the utmost, have ratified the choice of *viśpatis*. The cases of election were, however, the exception rather than the rule ; the usual tendency was to accept the leadership of the senior-most member of the seniormost family and formally elect him as the king.

This formal election of the king by the *kulapatis* and *viśpatis* was, however, getting antiquated even in the early Vedic period. Majority of the passages that are quoted in support of the election theory refer to a state torn by parties and factions among the aristocratic *kulapatis* and *viśpatis*, which often led to the expulsion of the king. They express the hope[5] that the king, who is *elected by his friends* may remain firm on the throne in spite of the challenge of the opponents ; or that the king who is being restored after expulsion, may become *acceptable* to the people. These passages cannot prove that monarchy was really elective in the Vedic period in the modern sense of the term, though they no doubt show that it was to a much greater degree dependent on the support of the

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1. ता ई विशो न राजानं वृणाना बीभत्सवो अप वृत्रादतिष्ठन् । X. 124. 8
This passage no doubt expressly describes the people as *electing* the king, but its face value is to some extent discounted by its discribing the people as being afraid on the occassion. If the king was to owe his crown to the votes of the people, why should the latter be afraid of the former, as were the celestial waters of Vṛitra, their captor, even after his overthrow ?

2. त्वां विशो वृणतां राज्याय । III. 4. 2

3. यस्मै वै राजानो राज्यमनुमन्यन्ते स राजा भवति न स यस्मै न ।
S. Br., IX. 3. 4. 5

4. Hence the absence of enthusiasm and the presence of some apprehension in their minds, as described in the Vedic passage quoted in note No. 1 above.

5. ह्वयन्तु त्वां प्रतिजना प्रति मित्रा अवृषत । A. V., III. 3. 6.

aristocracy than became the case in the later times. That the formality of the election had become antiquated in the Vedic period would become evident when it is remembered that in the vast majority of cases, kingship is seen to be hereditary even in the *Rigveda*. The kingship is known to have passed from the father to the son for at least four generations among the Tritsus and for a still longer period among the Pūrus. In the story of the Srñjaya king Dushtaritu Paumsāyana,[1] there is a reference to a kingdom inherited through ten generations (*dasapurusham rājyam*), and the formal proclamation at the time of the coronation, as described in the later Vedic literature, refers to the new ruler as himself a king and also the son of a king.[2]

There is thus no doubt that monarchy had become normally hereditary long before the later Vedic period. The arguments advanced to show that it continued to be elective in some states down to even the 8th century A. D. are hardly convincing.[3] The *rājakrits* mentioned in the *Atharvaveda* (III. 6. 7) and *rāja-kartāraḥ* referred to in the *Rāmāyaṇa* (II. 67. 2) are not king-electors but the Brāhmnas, who were entrusted with the duty of offering the coronation ablutions to the king.[4] When kings Pratīpa and Yayāti offer the crown to their younger sons Śāntanu and Pūru respectively, setting aside the claims of the elder brothers, people assemble before the palace and call for an explanation.' This does not, however, lend any support to the view that they had a voice in the selection of their king. In each case they simply want to know why the claims of the eldest son, supported by the law of primogeniture, have been set aside, and they return home quite satisfied when a proper explanation is offered by the reigning king.[5] Both the incidents clearly show, not that the people

1. *S. B.* XII. 9. 3. 1-13.
2. *Rājānam rājaputram, A. Br.* VIII. 12.
3. R C. Majumdar-*Corporate Life,* pp. 107-113.
   K. P, Jayaswal-*Hindu Polity,* Part II, pp. 10 ff.
4. Sāyaṇa explains *rājakritah* as *rājānam krinvanti, rājyebhishinchanti.* The commentator on the *Rāmāyana* explains *rājyakartāraḥ* as *rājābhisheka-kartāraḥ.* That this explanation is correct becomes quite clear when we read the names of *rājakartāraḥ* given in the next few verses of the *Rāmāyana.* They are the names of famous Vaidika Brāhmaṇas only ; no secular officers figure among them.
5. They were told that Devāpi, the elder brother of Śāntanu was set aside because he was suffering from leprosy, and that the elder brothers of Pūru had been disinherited because they had declined to exchange their youth with the oldage of their father.

had any voice in the election of the king, but that they had
accepted primogeniture as the normal law for the succession
to the throne. The chapters in the *Rāmāyaṇa* referring to the
proposed installation of Rāma to the post of the heir-apparent
(II. 1-2) do not also lend colour to the view that people had
any voice in the matter. Daśaratha had summoned for the
occasion not the notable citizens of his kingdom but his im-
portant feudatories and neighbouring monarchs.[1] They
approved of the choice of Rāma as a mere formality ; that
their consent had no practical value would become quite
clear from the circumstance that it could not prevent the
banishment of Rāma to the forest. The genealogy of the
Ikshvāku family shows that for several generations both before
and after the reign of Rāma, the crown was passing hereditarily
and that people had no power to elect the king.

It is sometimes argued that Rudradāman (*c.* 130 A. D.),
Harshavardhana (*c.* 606 A. D.) and Gopāla (*c.* 750 A. D.)
owed their throne to their election by the people.[2] It is no
doubt true that Rudradāman and Gopāla are expressly des-
cribed as being elected to the kingship by their people;[3] but
these statements occur in panegyric documents composed by
their court poets and cannot be taken too seriously. Rudra-
dāman's record, relied upon in this connection, elsewhere states
that he had become a king by his own prowess[4] and describes
how he had conquered and annexed a number of provinces.
The claim put forth on behalf of such a famous conqueror
by his court poet that he owed his throne to his election by the
people can hardly be accepted by the historian. Gopāla, the
founder of the Pāla dynasty, had put an end to the anarchy
and restored law and order in Bengal ; he was the founder of

1. समानिनाय मेदिन्या: प्रधानान्पृथिवीपतीन् । तु केकयराजानं जनकं वा
नराधिप: । त्वरया चानयामास पश्चात्तौ श्रोष्यत:प्रियम् । अथोपविष्टे
नृपतौ तस्मिन्परबलार्दने । तत: प्रविविशु: शेषा राजानो लोकसंमता: ।
II. 1. 46-8.
    It is thus clear that the feudatory kings were invited and not
the notables of the ream ; the reading of the Calcutta edition
समानिनाय मेदिन्या:प्रधानान्पृथिवीपति: । is shown to be untenable
by the verses following quoted above.

2. Majumdar, *Corporate Life*, p. 112.

3. सर्ववर्णैरभिगम्य रक्षणार्थं पतित्वे वृतेन । Junagad inscription; मा-
त्स्यन्यायमपोहितुं च प्रकृतिभिलेक्ष्या: करं ग्राहित: । *E. I.* IV. p. 2. 8

4. स्वयमधिगतमहाक्षत्रपनाम्ना रुद्रदाम्ना । Junagad Ins.

his dynasty and his claim to kingship is sought to be strengthen-
ed by the fiction of his being elected by his subjects.   The crown
used to pass hereditarily in his family and none of his success-
sors cares to profess that he owed his throne to his people's votes.
It is no doubt true that Harsha owed the crown to election ;
but it was the crown, not of his hereditary kingdom of Thā-
neshwar, but that of the Maukhari kingdom of Kanauj, which
belonged to his deceased brother-in-law Grahavarman and to
which he had no claim. After the death of Grahavarman, there
was no competent heir left for the Maukhari throne. The Mau-
khari ministers, therefore, decided to offer the crown to the
brother of their widowed queen.   This instance shows that
when there was a failure of heirs, the ministers and other high
dignitaries used to elect a suitable successor from among the
relations of the deceased king.[1]   There are some such instances
in the Jātaka stories too.[2]   But they cannot show that the king-
ship was elective in normal times. Epigraphic and literary
evidence shows that almost all the dynasties subsequent to *c.*
600 B.C., of which we have any knowledge, were passing the
crown on the principle of heredity.   The very idea of the elec-
tion of the king appeared very strange to the historians of the
12th century.[3]

We may now passingly refer to a few points of constitution-
al importance connected with a hereditary monarchy.   In
the case of ordinary families, property was divisible among
brothers according to the   Hindu law; the law of primogeni-

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1. This holds good also of the so-called election of the Pallava king
    after the death of Parameśvaravarnan II.
2. See Jātaka, I p. 470 ; V. 187 etc.
3. When the Utpala dynasty came to an end in Kashmir in 939
    A. D., one Kamalavardhana managed to get the effective control
    of the government machinery. When instead of crowning himself
    king immediately, he asked the Brāhmaṇas of the capital to elect
    somebody to the kingship, thinking that they would naturally
    support his claim, Kalhaṇa, the Kashmir historian, says that it
    was the most foolish procedure that could ever have been thought
    of, comparable to the conduct of a person who does not accept
    the love offer of a lady of exceptional beauty coming herself to
    his house under intoxication to beg to be accepted, but sends
    a messenger the next day to enquire whether she would come.
    In this particular case, the Brāhmaṇas went on arguing for five
    or six days without coming to any decision.   In the meanwhile
    another claimant to the throne, Śūravarman, came and occupied
    the capital and the Brāhmaṇas them hastened to acclaim him
    as the king. *Rājataraṅgiṇi,* VII. 773 ff.

ture, however, prevailed in the case of monarchy. The crown,
therefore, passed to the eldest son,[1] but his brothers were
usually appointed to responsible posts in the government like
governorships or viceroyalties.[2] We get several such instances
both in the Jātaka stories and actual history.

If the eldest son was unfit to rule owing to blindness, deaf-
ness, etc., then he was, of course, not allowed to succeed.
Dhṛitarāshtra and Devāpi were superseded under this rule.

The attraction of pomp and power was, however, often
too strong, and younger brothers would sometimes seek to wrest
the crown by starting interneceine wars. These are known
both to folk lore stories as well as to sober history. When, how-
ever, we take a survey of the ancient Indian history as a whole,
we have to admit that they were rather an exception than
the rule. Very often a compromise was effected by giving
a small feudatory kingdom to the younger brother. The crea-
tion of the Rāshtrakuta branch in Gujarat and the Chālukya
branch in Vengi were due to this policy.

Great emphasis has been given to the proper training of
the heir-apparent. Kingship may be divine, but it did not
dispense with the necessity of proper training. Special schools
were organised for the education of princes, though we some-
times see them being sent for training along with commoners
to famous University centres like Takshaśilā. In early days
the study of the Vedas and philosophy loomed large even
in the princely curriculum,[3] but gradually economics and
politics became the main subjects of theoretical study.[4] Some
writers go to the extent of declaring that princes need study no
other subjects. One can understand this position, because
society believed that its proper functioning and progress de-
pended upon an efficient government machinery.[5] Practical

1. Cf. इक्ष्वाकूणां हि सर्वेषां राजा भवति पूर्वजः । पूर्वजेनावरः पुत्रो ज्येष्ठो
     राजाभिषिच्यते । *Rāmāyaṇa* II. 110. 36

     कथं ज्येष्ठानतिक्रम्य कनीयानाप्नुयामहंति । *Mhb.* I, 85, 22.

2. *Śukra*, I. 346-8.

3. *Arthaśāstra*, I. Chap. 2, *Manusmriti*, VII. 43.

4. *Kāmandaka*, II. 2-5. Bārhaspatya school held that the study of
     the Trayi was undesirable, as it acted as a screen to obscure the
     vision of a king who wanted to know the ways of the world.

5. Cf:—सर्वा विद्या राजधर्मेषु युक्ताः सर्वे लोका राजधर्मे प्रविष्टाः ।
     सर्वे धर्मा राजधर्मप्रधानाः । *Mbh.*, 63. 26. 29.

education included training in administration and the military art and tactics. Above all the prince was to be a good bowman, a skilful horseman and an expert controller of the elephants.[1] When the training was complete, and the prince had attained majority, he was formally appointed as heir-apparent. He was then entrusted with considerable functions in the administration, which he discharged in consultation with his father.

When the heir-apparent was a minor at his succession, the administration was carried on by a council of regency. The evidence of the Jātakas,[2] dramas[3] and inscriptions shows that usually the dowager queen presided over this council. India can proudly point to several dowager queens like Nayanikā (c. 150 B. C.) and Prabhāvatīguptā (c. 380 A. D.) who successfully carried on the administration of extensive kingdoms during the long minority of their sons.

Hindu law, however, did not permit an only daughter to succeed her father as the ruling queen. Bhīshma, no doubt, advises Dharma to sanction the coronation of the daughters of those kings, who had died in the war, and left no male issues behind.[4] This, however, was not the general opinion. The vast majority of the constitutional writers opposed the succession of women to the throne, because they felt that on account of their natural limitations, they cannot become efficient administrators.[5]

What therefore happened when the only heir to the throne was a daughter was that her husband succeeded to the kingdom of his father-in-law. In such cases, the daughter was sometimes regarded also as the regnant queen, as is suggested by the joint coinage of Chandragupta I and his Lichchhavi queen Kumāradevī.

1. धर्मकामार्थशास्त्राणि धनुर्वेदं च शिक्षयेत् । रथे च कुञ्जरे चैव व्यायामं
कारयेत्सदा ॥ शिल्पानि शिक्षयेच्चैनं नाप्तैर्मिथ्याप्रियं वदेत् ॥
Agni P. chap. 220, 2-3.

2. IV. pp. 105, 487. In the last case the king of Banaras becomes a hermit and his subjects request the queen to undertake the royal duties. This was the usual practice ; cf. *anno rājā no hoti.*

3. During the captivity of king Udayana of Kauśāmbi, his mother carried on the administration. *Pratijñāyaugandharāyaṇa,* Act I.

4. कुमारो नास्ति येषां च कन्यास्तत्राभिषेचयं । *Mbh.* XII. 32. 33

5. दुट्ठं तं जनपदं यत्थ इत्थि परिणायिका । *Jat.* I. 155
अनवकाशं यमित्थी राजा अस्स चक्कवर्ती । *M. N.* III. 65-66

In south India, especially under the Chālukyas and the Rāshṭrakūṭas, princesses in the royal family were appointed frequently to important administrative posts. .We shall refer to ·only two cases by way of illustration ; Revakanimdi, a daughter of Amoghavaraha I and the wife of Erragaṅga, was the governor of the important district of Edatore 2,000 in c. 850 A. D., and Akkādevī, an elder sister of Jayasiṁha III, was ruling over the district of ·Kinsuda in 1022 A. D. Such cases, however, are not known to northern India.

In conclusion we shall passingly refer to the position of the queen.   In the Vedic period, she figured in the list of the *ratnis* or important state officers, but her function in the administration is not known. Constitutional writers do not allot to the queen any part in the administration, but in actual practice, it may have been often influenced by her views and personality. This was the case to a greater degree in south India, where we often find queens making land grants on their own authority or functioning as viceroys over extensive provinces.[1] There is ample evidence to show that princesses and queens used to receive administrative and military training to be of use to them in the case of necessity.

The Position of the King

•   The position, powers and privileges of the king have varied from age to age.   When in the prehistoric period, the king was only the seniormost member in the council of peers, when he often owed his position to an election, either real or formal, when there was a popular council (*samiti*) to actively supervise his administration, his position was often insecure and powers limited.   It appears that taxation was also voluntary and the powerful nobles and patriarchs would give only occasional presents to the king, rather than regular taxes.[2] One great favour that Indra is supposed to confer at the time of coronation is to compel the subjects to pay the taxes regularly to the king.[3]

The state in the pre-Vedic and early Vedic times was tribal and small, and a popular assembly used to function at the centre, so the king's powers were not extensive.   In the course

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1. Altekar, *Position of Women,* pp. 24-5.

2. यत्र शुल्को न क्रियते अबलेन बलीयसे । *A. V.* III. 29. 3

3. अथा ते इन्द्र केवलीर्विशो बलिहृतस्करत् । X. 173. 6]

of time, when the state became territorial in character and
extensive in size, the powers of the patriarchal barons like the
kulapatis and *viśpatis* declined, as also those of the popular *samitis*,
which could not meet frequently or regularly. These circum-
stances gradually tended to increase the powers and privile-
ges of the king. Even in the *Ṛigveda* we have references to
svarāṭs (self-rulers), *ekarāṭs* (sole rulers), *adhirāṭs* (great rulers)
and *samrāṭs* (emperors).[1] It is no doubt true that some of these
epithets are applied to gods, but there can be no doubt that
their counterparts existed on the earth as well.

Considerable pomp and prestige surrounded the king in
the Vedic period. The panegyrics about the different kings
show that they were rich and prosperous ; probably they
owned big herds of cattle and extensive plots of land and also
received taxes from their subjects, which were tending to be-
come more and more regular and obligatory. The *Atharvaveda*
describes the king as lord of riches, the chief of the people and
the most prominent among the warriors. It also prays that
the king may have power, lustre and control over the nation.[2]
In one ritual the Brāhmaṇa, the Kshatriya, the Vaiśya and
the Śūdra each loses a cow to the king;[3] this shows that the
king's sway was being regarded as encompassing all the
classes of the population. His power, therefore, was getting
more extensive ; naturally his wrath also was being dreaded
more and more.[4]

The king was pre-eminently the protector of his people[5]
both against internal disturbances and foreign invasions. He
was the upholder of law and order, of customs and traditions
(*dhṛitavrata*). He presided over the court at the capital,[6] which
dealt with serious offences, though ordinary cases were dis-
posed of by popular councils. He carried on the administra-
tion with the help of a number of officers like the generals
(*senānīs*), *grāmaṇīs* (village headmen), *Kshattris*, *saṅgrahītṛis* and
sūtas; the precise functions of the last three are not known at
present.

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1. *R. V.*, II. 28. I ; VII. 37, 3 ; X. 128. 9 ; I. 25. 10.
2. IV. 22.
3. *T. S.*, I. 8, 16 ; *T. Br.*, I. 7, 10.
4. अन्यत्र राज्ञामभियातु मन्यु: । *A. V.*, VI. 40. 2
5. गोपा जनस्य । *R. V.*, III. 43. 5
6. तस्माद्राजन्येनाध्यक्षेण वैश्यं हंति । *K. S.*, 28. 4

Divinity of the King

. It is interesting to note that the doctrine of the divinity of the king, which became so popular in India in·the first millennium of the Christian era, was unknown to the Vedic period. Kingsihp at that time was a purely secular institution.   The king in his official or public capacity was not required to perform any sacrifices for the promotion of the public weal or the removal of a tribal or national calamity.

In the *Rigveda*, only one king Purukutsa has been only once described as *ardhadeva* or semi-divine (IV. 42. 8-9); and one solitary and late passage of the *Atharvaveda* (XX. 127. 7) describes king Parīkshit as a god among men (*yo devo martyān adhi*).   These passages, however, do not prove the acceptance of the divinity of the king by the age ; Purukutsa was called semi-divine, probably bacause his widowed mother got him as a special favour of the gods Indra and Varuṇa.   Parīkshit is called a god among men in a hymn which is out to panegyrise him; as no other king is ever so described in the Vedic literature, we may take it that the theory of the king's divinity was yet confined to the imagination of a few grateful courtiers.

The growing sway of religious ideas and notions produced an atmosphere in the Brāhmaṇa period which was more favourable to the notion of the divinity of the king.   Victories of the king began to be attributed to the favour of Indra, and very often the latter's epithet began to be transferred to the former.[1] At the time of the royal coronation the priest averred that it was at the command of god Savitar that the coronation ablution was being given, and that too, not with his human hands and arms, but with the hands of god Pūshan and the arms of god Aśvins.   Gods Agni, Savitar and Bṛihaspati were believed to enter the person of the king, when he was being appointed at the coronation.   Some of the sacrifices he performed like the Aśvamedha and the Vājapeya were declared to enable him to obtain parity with gods.[2]   The mystery of the multitude obeying one king was sought to be explained by some on the ground that he was the veritable visible symbol of Prajāpati, the chief of gods[3].   Brāhmaṇas were

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1. *A. Br.*, VIII. 2.
2. *S. Br.*, XII. 4, 4, 3 ; *T. Br.*, XVIII. 10, 10.
3. एष वै प्रजापतेः प्रत्यक्षतमं यद्राजन्यः । तस्मादेकः सन्बहूनामीष्टे
    S. Br., V. 1. 5. 14

claiming divinity (*bhūdevatva*) for themselves and were, there fore, not disposed to deny it to the king, who was expected to uphold their privileges.   All these circumstances and factors created an atmosphere during the post-Vedic period, which was very favourable to the doctrine of the divinity of the king.   The advent of the Kushāṇa dynasty in the 1st century A. D. further strengthened the tendency to regard the king as divine.   Owing to the influence of the Chinese tradition, kings of this house claimed to be the sons of Gods (*devaputra*) and represented themselves on their coins as descending from clouds and surrounded by divine flames.[1]   Temples were also built by the Kushāṇa emperors in honour of their dead ancestors whose statues were worshipped there as gods.

Divinity has been definitely claimed for the king by some Smṛitis and Purāṇas.   Manu avers that the king is verily a great divinity in the human form ;   his very body is formed by the Creator by taking particles from the bodies of the divine guardians of the eight quarters.[2]   The *Vishṇupurāṇa* and the *Bhāgavata* say that a number of divinities reside in the person of the king,   the latter goes to the extent of averring that Veṇa, the first king,[3] had actually some of the marks of Vishṇu on the different limbs of his body.[4]   The convention of regarding the king as divine has become quite general; even the Buddihsts in later times regarded the kings as *sammutidevas* (gods by convention or public opinion).   Sanskrit dramatists use the word *deva*, when a king is to be addressed, and the efforts of the medieval dynasties to trace their origin to gods Brahmā, Rāma or Lakshmaṇa also presuppose a desire to emphasise their divine character.

The divinity of king was thus accepted by some Smṛitis and Purāṇas.   It is, however, the view of only a small minority among them, which maintains that the king is the deity incarnate.   The vast number of the Smṛitis and the Purāṇas

1. *The Catalogue of Coins in the Panjab Museum*, Vol. I. Pl. XVII. 31, 33.

2. यस्मादेषां सुरेन्द्राणां मात्राभिर्निर्मितो नृपः ।
    तस्मादभिभवत्येष सर्वभूतानि तेजसा ॥ *Manu*, VII. 5. 4

3. ब्रह्मा जनार्दनो रुद्र इन्द्रो वायुर्यमो रविः । हुतभुग्वरुणो धाता पूषा
    भूमिर्निशाकरः ॥ एते चाम्य च ये देवाः शापानुग्रहकारिणः । नृपस्येते
    शरीरस्थाः सर्वदेवमयो नृपः ॥ *Vis. P.*, I. 13- 14

4. जातो नारायणांशेन पृथुरांद्यः क्षितिर्ईश्वरः । वेणस्य दक्षिणे हस्ते दृष्ट्वा
    चिह्नं गदाभृतः । पादयोररविंदं च तं वै मेने हरेः कलाम् ।
                                      Bhāg., IV, 13, 23.

merely content themselves by drawing attention to the *functional resemblance* between the king on one side and the various deities on the other. Thus the *Mahābhārata* (XII. 67. 40ff.), the *Nāradasmṛiti* (XVII. 26 ff.), the *Śukranīti* (I, 73 ff.), the *Matsya* (ch. 22), the *Mārkaṇḍeya* (27. 21. ff.), the *Agni* (225. 16), the *Padma* (I, 30. 45 ff.) and the *Bṛihaddharma* (Uttarakhaṇḍa, 3, 8) Puraṇas point out how the king *resembles* god Fire, because he burns the wicked by his power, the god Sun because he sees every thing through his spies, the god Yama because he metes out just punishment, the god Kubera, because he showers wealth on the deserving, and so on.[1] The majority view thus points only to the functional resemblance between the king on the one side and the various divinities on the other. It does not say that the *king is himself a god*, but observes that *his functions are similar to those of some gods.* Hindu writers have thus advocated the divinity, not of the person of the king but of his office, because of the resemblance between his functions and those of some deities. *Varṇāśramadharma* which the king was expected to enforce was also regarded as divine and it was probably felt that the theory of the divinity of king would enable him to discharge this duty better.

In Europe the doctrine of the divinity of the king was first advanced when Alexander the Great was deified in his life time in 324 B. C. Roman emperors were deified after their death and temples were built in their honour. It was, however, in medieval times that European political thinkers began to advocate the theory of the king's divinity in its extreme form, and that too primarily in defence of royal tyranny. In ancient India Nārada is the solitary writer who

3. कुरुते पंच रूपाणि कार्ययुक्तानि यः सदा ।
भवत्यग्निस्तथादित्यो मृत्युर्वैश्रवणो यमः ॥ ४१ ॥
यदा ह्यासीदतः पापान्दहत्युग्रेण तेजसा ।
मिथ्योपचरितो राजा तदा भवति पावकः ॥ ४२ ॥ᐟ
यदा पश्यति चारेण सर्वभूतानि भूमिपः ।
क्षेमं च कृत्वा व्रजति तदा भवति भास्करः ॥ ४३ ॥
अशुचींश्च यदा क्रुद्धः क्षिणोति शतशो नरान् ।
सपुत्रपौत्रान्सामात्यांस्तदा भवति सोंऽतकः ॥ ४४ ॥
यैदा त्वधार्मिकान्सर्वास्तीक्ष्णेदंडैर्नियच्छति ।
धार्मिकांश्चानुगृह्णाति भवत्यथ यमस्तदा ॥ ४५ ॥
यदा तु धनधाराभिस्तर्पयत्युपकारिणः ।
तदा वैश्रवणो राजा लोके भवति भूमिपः ॥४७॥ *Mbh.*, XII. 67. 41 ff

went tot he extent of maintaining that the person of even a wicked king was inviolable because of his divinity.[1] His view, however, was not generally accepted. The wicked king Veṇa claimed exemption from punishment on the ground of his divinity, but angry sages killed him immediately after he had advanced this impious plea. It is further necessary to emphasise that only good and pious kings were regarded as divine by ancient Hindus ; bad and impious ones were dubbed as demoniac.[2] The view of Gregory the Great that even bad kings are divine and responsible to God alone was clearly not acceptable to ancient Indian thinkers. Even Manu, who advocates the divinity of the king in the extreme form, warns him that he will suffer and meet with punishment in this very life if he misbehaves and misgoverns.[3] He further points out that the divinity of the king does-not confer infallibility on him. As a matter of fact, says Manu (VII. 45), he is more liable to err and fall than ordinary men as he is exposed to greater temptations ; he should, therefore, take greater precautions to see that he does not become a prey to different vices and calamities that arise out of *kāma* (passion) *krodha* (anger) and *lobha* (greed). A few kings misled by the surrounding flatterers, it seems, claimed infallibility on account of their so-called divinity ; how they became buts of public ridicule has been well described by Bāṇa,[4] the biographer of king Harsha.

The view of Blackstone that the king is not only incapable of doing wrong but also of thinking wrong was clearly not subscribed to by the ancient Indian thinkers. As a matter of fact they regarded him as more exposed to errors and temptations than ordinary human beings. Nor was king's divinity

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1. राजनि प्रहरेद्यस्तु कृतागस्यपि दुर्मतिः ।
शूले तमग्नौ विपचेद् ब्रह्महत्याशताधिकम् ॥ XVIII. 31

2. गुणिजुष्टस्तु यो राजा स ज्ञेयो देवतांशकः ।
विपरीतस्तु रक्षोंशः स वै नरकभाजनः ॥ *Sukra*, 1, 87.
Cf. also *Mbh*, I, 67.

3. दंडो हि सुमहत्तेजा दुर्धरश्चाकृतात्मभिः ।
धर्माद्विचलितं हन्ति नृपमेव सबान्धवम् ॥ VII. 28

4. प्रतारणकुशलैर्धूर्तैः अमानुषलोकोचिताभिः स्तुतिभिः प्रतार्यमाणाः आत्मन्यारोपितालीकाभिभानाः मर्त्यधर्माणोपि दिव्यांशावतीर्णमिव सदैवतभिवातिमानुषमात्मानमुत्प्रेक्षमाणा प्रारब्धदिव्योचितचेष्टानुभवाः सर्वंजमस्योपहास्यतामुपयांति । *Kādambari* Śukanāsa's address.

construed as necessitating passive obedience even to wicked kings. Bishop Bossuet contended that open impiety on the part of a prince did not exempt the subjects from the obedience which they owe to him ; Calvin held that kings, unworthy of honour, must nevertheless receive most respectful submission. Ancient Indian thinkers did not subscribe to these views ; they were not even prepared to recognise the divinity of unworthy kings. They have bluntly described them as demoniac and have openly permitted their subjects to rebel against them, as will be presently shown. The view of James I that the wickedness of a king can never make them, that are ordained to be judged by him, to become his judges, was not acceptable to ancient India. It will be thus seen that Willinghby's observation that 'in all the vast Asiatic monarchies of the early days, the rulers claimed a divine right to control the affairs of the state and this was submitted to by people with but little question,' does not hold good of ancient India.[1]

It has been argued by Dr. Jayaswal that the theory of the Divinity of King was advanced by Manusmṛiti to support the Brāhmaṇa empire of Pushyamitra[2] and to counteract the Buddhist theory of the origin of state by contract. Our discussion above must have made it clear to the reader that the theory of the king's divinity was gradually gaining ground and it cannot be ascribed to Manu alone. The contract theory was also perfunctority advanced by a few writers, both Hindu and Buddhist, and it was hardly suspected that it was in opposition to the theory of king's divinity.

Before concluding this topic, we may briefly survey the views of some ancient civilisation about the divinity of the king. In ancient Egypt Pharoha was regarded as the son of the god Sun (Ra). He officiated at public sacrifices and he alone could supplicate to God for favour or mercy. In ancient Babylonia and Assyria, kings were regarded as viceregents of God and were thus awarded divine honours. In ancient Greece king was believed to be descended from a divine ancestor ; he was Zeus-born and Zeus nurtured. He alone possessed the knowledge of the divine infallible decrees. After 19 A. D. Rome began to deify her emperors ; they were proclaimed divine after their death and temples were built

1. *Nature of State*, pp. 42-3.
2. *Hindu Polity*, Part II, pp. 54-7.

in their honour. The views of the 17th and 18th century thinkers of Europe have been referred to already.

Some other Notions about Kingship

We have so far examined the notion of king's divinity. Let us now examine some other notions associated with kingship in order to understand proprely the position of the king.

From the Vedic times downwards, the king has been regarded as the supporter and upholder of the law. The Vedic age held that the ideal king was to be *dhritavrata*, dedicated to law and piety like the great god Varuṇa. The king may be divine, but the law was still more so, and must, therefore, be respected by him. The essence of rulership lies in *dharma* ; the king should realise that there is nothing higher than *dharma* and always abide by it.[1] The first king Veṇa had to take the oath that he would scrupulously follow the *dharma* prescribed in the authoritative works on the subject and never act wilfully.[2] The responsibility of the king was particularly great. He was the first citizen and his subjects were naturally prone to follow his example. His conduct, therefore, must be exemplary. Unhappiness, misery and pestilence among the subjects were attributed to failure in duty on the part of the king. 'When kings are unjust' says one writer, 'even sugar and salt lose their flavour'.[3] The popular notion on this subject is well illustrated by the Jātakas. The ox of a ploughman is struck accidentally by his plough-share ; for this the king is to blame ; a milkman is killed by a vicious cow, the blame is assigned to the same quarter ; even a frog does not spare the king when it is bitten by hungry crows.[4] Happiness, it was believed, depended upon virtue and piety, and these could prosper only if the king set a proper example and standard. The miseries of the subjects were, therefore, naturally attributed to the failure of the king to dedicate his life to *dharma*.

The next important notion about the king was that he was *the servant of the people*. An early Dharmasūtra writer

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1. तदेतत्क्षत्रस्य क्षत्रं यद्धर्मस्तस्माद्धर्मात्परं नास्ति । *Br. Up*, 1. 4. 14.
2. यश्चान्न धर्मं इत्युक्तो धर्मनीतिव्यपाश्रयः ।
   तमशंकः करिष्यामि स्ववशो न कदाचन ॥ *Mbh.* XII. 59. 116
3. *Jātakas*, Vol. III. p. 111.
4. *Ibid*, V. pp. 101-7.

observes that the king is really a servant, the 16% tax being his wage.[1] Kauṭilya at one place points out how the king was on the same footing as his soldiers, both receiving their different wages and both being entitled to share the assets of the nation.[2] Nārada also regards the taxation as the king's pay for the protection of his people. No one ever makes a payment, says Aprārka, without expecting a return ; the taxes, therefore, are paid only as a return for the protection expected from the king.[3] Since the people pay him the proper wage, the king must serve them as a servant, nay even as a slave.[4]

The notion of *the kingship as a trust* was also there in ancient India. The king was particularly enjoined to note that the treasury was not his private or personal property. It was a public trust to be utilised for public purposes. If a king misappropriated public funds and diverted them to his personal use, he would be guilty of sin and be condemned to hell.[5] To put it in a nutshell, the king must regard his own happiness as indissolubly connected with that of his subjects.[6]

According to some political thinkers, however, the duties of the king are even more onerous and exacting than those of a trustee. The latter is expected to take scrupulous care of the trust ; it is sufficient if he promotes the welfare of the trust and refrains from taking any direct or indirect advantage from his position as a trustee. He is not required or expected to make any self-sacrifice for promoting the interest of his trust. The ideal king, on the other hand, is required to do this. Just as an expectant mother sacrifices her own desires and pleasures,

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1. षड्भागभृतो राजा रक्षेत्प्रजाम् । *B. D. S.,* I. 10. 6.

2. निर्दिष्टकालो धर्मिष्ठः संहत्य ब्रूयात् । तुल्यवेतनोऽस्मि । भवद्भिः सहभोग्यमिदं राज्यम् । X. 3. (p. 367.)

3. सर्वो हि धनं प्रयच्छन्नात्मसमवायि प्रयोजनमुद्दिशति । न च करदानस्य स्वगुप्तेरन्यत्प्रयोजनमस्ति । तस्मात्करमाददानेन प्रजापालनं विधेय-मिति सिद्धम् । On *Yaj.* I. 366.

4. सर्वतः फलभुग्भूत्वा दासवत्स्यात्तु रक्षणे । *Sukra,* IV. 2. 130. पौरजानपदार्थं तु ममार्थो नात्मभोगतः । *Mbh.,* V. 118. 13.

5. बलप्रजारक्षणार्थं धर्मार्थं कोषसंग्रहः । परत्रेह सुखदोनुपस्यान्यस्तु दुःखदः ॥ स्त्रीपुत्रार्थं कृतो यश्च स्वोपभोगाय केवलम् । नरकायैव स ज्ञेयो न परत्र सुखप्रदः ॥ *Ibid.,* IV. 2. 3-5.

6. प्रजासुखे सुखं राज्ञः प्रजानां च हिते हितम् । नात्मप्रियं हितं राज्ञः प्रजानां तु प्रियं हितम् ॥ *Artha.* I. 19

lest they should be harmful to the child to be born, the king must sacrifice his own conveniences, inclinations and pleasures in order to be of the maximum help and service to his people.[1] The body of the king is not meant for enjoyment of pleasures ; it has to put up with great troubles and worries while carrying out the royal duty of protecting the subjects and fulfilling the *dharma*.[2]

There is thus no doubt that ancient Indian thinkers regarded him only as the ideal king, whose life was dedicated to the service and welfare of his people. Human nature being what it is, the average king, however, was not likely to follow the ideal with a firm will and determination. What steps were devised to protect the people from the whims and caprices of a tyrannical king ? What checks were contemplated upon the royal power, if it tended to become unjust and oppressive ?

It must be admitted at the outset that no constitutional checks in the modern sense of the word were devised by our ancient thinkers. It is likely that the *samiti* or the Popular Assembly of the Vedic age functioned as a constitutional check upon the king ; there is evidence to show that a king could hardly maintain his position, if this Assembly was not in agreement with him. The powers of the Popular Assembly, however, declined as centuries rolled on ; it also disappeared from the scene by *c.* 500 B. C.; and its place was not taken by any similar body. The king could punish his subjects for their breach of duty in his own law courts; there was, however, no Popular Assembly or forum in the post-Vedic period, which could effectively control the king if he became oppressive. The ministry in normal times no doubt provided an efficient check ; but as ministers held their posts during the king's pleasure, they felt powerless if a king was too self-willed and tyrannical to be amenable to the force of public opinion.

We should not, however, forget that the constitutional checks in the form of non-voting of supplies by Parliaments or Popular bodies are recent developments, unknown to the ancient times. Courts to try kings for their oppressive acts were unknown in the ancient days not only in India but also elsewhere. Ancient Indians, therefore, naturally did not

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1. निर्त्यं राजा तथा भाभ्यं गर्भिणी सहधर्मिणी ।
यथा स्वं सुखमुत्सृज्य गर्भस्य सुखमावहेत् ॥ *Agnipurāṇa*, 222. 8.

2. राज्ञां शरीरग्रहणं न भोगाय महीपते ।
क्लेशाय महते पृथ्वीस्वधर्मंपरिपालने ॥ *Mārkaṇḍeya P.* 130. 33.

hit upon these remedies. They, however, devised a number of other checks, which were sufficiently effective in the normal times.

Religious and spiritual sanctions had the greatest terror in ancient India and our constitutional writers have made full use of it in order to curb the tyrannical tendency. The king, who oppresses his subjects or misappropriates public funds is guilty of dereliction of duty ; Varuṇa, the chastiser of kings, would punish him severely. If a king levied an unjust fine, he was to offer thirty times that amount to Varuṇa as a fine by himself.[1] The threat of hell was also there, and it served as a great deterrent in ancient times.

The king was no doubt divine, but established laws and customs were still more so. The king was required to take a vow at his coronation that he would scrupulously respect them. He had no power to change them at his sweet will.

Kings usually tend to become whimsical or arbitrary by the absence of proper training. Our writers, therefore, have laid particular emphasis on making adequate provision for the proper education and training of princes during their childhood and adolescence. They grow particularly eloquent in describing how a prince ought to be modest and self-controlled, pious and religious, sweet in speech and seemly in behaviour, eager to wait upon the elders and preceptors, careful to keep good company, sensitive to public opinion and criticism, and well-grounded in the military art and the science of public administration. It was hoped that a prince trained on the above lines would hardly ever go astray and become a source of troubles to his people.

A king, however, may not receive such training, or his tyrannical disposition may be too strong to be curbed by it. If he is not amenable to the force of public opinion, if he does not listen to the advice of his elders, preceptors and ministers, if the horror of the hell has no deterrent effect upon his oppressive propensities and activities, what are the subjects to do ?

अदण्ड्यदण्डने राज्ञो दण्डस्त्रिशद्गुणोंऽभसि। वरुणाय प्रदातव्यो ब्राह्मणेभ्य-
स्तत्तः परम्। शास्ता हि वरुणो राज्ञां मिथ्या व्याचरतां नृषु। *Artha.* IV,
13. To medieval writers, this notion of a king fining himself appeared
as strange ; they therefore wrongly thought that it referred to a
subordinate king or officer; cf तस्माद्राज्ञामिति अवान्तरनृपतीनामिति
द्रष्टव्यम्। स्वस्य स्वयं दण्डानुपपत्तेः। *Dandaviveka,* p. 55.

We have already shown how our writers do not recommend passive obedience to wicked and tyrannical rulers. They want the people to take action, but it must be admitted that they do not give us any systematic exposition of the philosophy of resistance, indicating clearly the limits beyond which the king could not go and defining the circumstances that alone would justify the resistance on the part of the people. It is not unlikely that this may be partly due to an apprehension that an open and frank discussion of the topic may lead to the encouragement of anarchy.

Our ancient thinkers, however, do not contemplate that the subjects should take oppression lying down. It is recommended that they should threaten the tyrant that they would migrate from the country and go to another, which was better governed;[1] it was probably hoped that the prospective loss of the revenue may bring the king to his senses. If this did not produce any effect, the subjects were to dethrone the king and enthrone a relative of his, who may appear to them as suitable.[2] This is not all; the *Mahābhārata* expressly recognises subjects' right to tyrannicide, if there was no other remedy left to them.[3] Our works on polity carefully record the names of the tyrants who had thus lost their lives. Veṇa was one of them ; though he pleaded the inviolability of his person on account of his divinity, the sages, who were exasperated by his wickedness and tyranny, immediately killed him. Nahusha, Sudāsa, Sumukha and Nimi were other tyrants who lost their lives through the fury of their people, and it is interesting to note that this fact is pointedly brought to the notice of the king even by Manu, who subscribed to his divinity. Jātakas also record a number of cases of subjects killing wicked kings as a punishment for their tyranny.[4]

The recognition of the subjects' right to depose or kill a tyrant no doubt shows that ancient Indians regarded

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1. अधर्मशीलो नृपतिर्यदा तं भीषयेज्जनः ।
धर्मशीलातिबलवद्विपोराश्रयतः सदा ॥ *Sukra*, IV. 1. 3
2. गुणनीतिबलद्वेषी कुलभूतोऽप्यधार्मिकः ।
नृपो यदि भवेत्तं तु त्यजेद्राष्ट्रविनाशकम् ॥
तत्पदे तस्य कुलजं गुणयुक्तं पुरोहितः ।
प्रकृत्यनुमतिं कृत्वा स्थापयेद्राज्यगुप्तये ॥ *Sukra*, II. 274-5
3. अरक्षितारं हर्तारं विलोप्तारमनायकम् ।
तं वै राजकलिं हन्युः प्रजाः संनह्य निर्घृणम् ॥ XIII. 86. 35-6
4. See Sachchankira and Padakusalamānava Jātakas, Nos. 73, 432.

sovereignty as ultimately residing in people. It could, however, be exercised only by a popular uprising and not through any peaceful means. It was thus not a constitutional, but rather an extra-constitutional right. It was a remedy very difficult to adopt. How can the people successfully defy the mighty power of a tyrant who has a trained and paid army to support his throne ?

There is certainly a great force in the above line of argument. A less extreme but more practical remedy should have been devised against the tendency of the king's powers becoming oppressive. We should, however, note that in the ancient times it was not so difficult to dethrone or execute a tyrant, as it is in modern days; Jātakas often describe the people doing so with success. We should not forget that in olden days, on the one hand regularly paid and trained standing armies did not usually exist, and on the other hand, villages and towns had their own militias under popular control and armed with weapons in no way inferior to those of the king's army. The possibility of a successful rebellion was, therefore, not a remote one. The country was studded with a number of feudatories and sub-feudatories, and it was not difficult for people to find a leader from among them or from among ministers and high officials to put an end to tyranny. The last rulers of the Maurya and the Śuṅga dynasties and king Govinda IV of the Rāshṭrakūṭa house, for instance, lost their thrones because their misrule drove people, ministers and feudatories to rebel against them. Peoples' right to rebel and invite a more virtuous ruler to the throne was a much more feasible and practicable right in ancient times than we can think it to be in the modern age, when governments are armed with tanks, airoplanes and atomic bombs and the subjects have to oppose them by fists, knives, and *lathis*.

The normal checks on king's powers were, of course, not strong enough to compel a tyrant to respect the law, who had no apprehension for hell and no respect for public opinion. In their practicability and suitability, they were inferior to those devised by the modern democracies, or the city of states of ancient Greece. We should, however, not forget that when the states in ancient India were also small like the city states of ancient Greece, as in Vedic period, the popular assemblies, *samitis*,—did control the king more or less like a modern representative assembly. The greatest

calamity for a king envisaged in that dim and distant past, was disagreement between him and his Popular Assembly.[1] When, however, states became larger and larger, a central popular assembly became impracticable owing to long distances and bad roads. We should also not forget that the principle of a representative democracy, where people are represented in a central parliament by their chosen representatives, is hardly more than 300 years old. It was no wonder that it did not exist in ancient India, as in ancient Greece or Rome.

It should not, however, be supposed that our ancient Indian constitutional thinkers had left everything to the fear of hell, the force of public opinion or the chances of a successful resurrection. They had advocated and brought about an extensive decentralisation of government functions and powers by investing village councils, town committees and district boroughs with very wide administrative powers and functions, as will be shown in Chap. XI.

Governments in ancient India could eventually reach the people and discharge their functions mainly through these bodies, and the representatives of the people had a decisive voice in them. Kings may impose any number of taxes ; eventually those only could be realised which the village councils could agree to collect. The local bodies were also discharging judicial functions and that removed a powerful engine of oppression from the control of the king. They had also a prescriptive right to a fair percentage of the land and other revenues collected in their jurisdiction, which they could utilise according to the wishes of the locality for the local works of public utility. The local executive officers were usually hereditary servants and not members of the central bureaucracy; they, therefore, usually sided with the local bodies in their tussle with the central government. The village communities and town councils were to a great extent small republics, where the voice of the people prevailed. The activities of a tyrannical king, therefore, were not usually very effective much beyond his capital. The extensive decentralisation advocated and brought about in ancient India was thus the most effective and practical check upon the king's powers. The checks of the modern type were absent because the idea of the representative government was unknown both in the east and the west down to the 16th century.

नास्मै समितिः कल्पते । *A. V.*, V. 19. 15

CHAPTER VI

REPUBLICS

Monarchy, which was the prevailing form of government in the post-Christian period, has been discussed in the preceding chapter; we shall now consider the various problems connected with the non-monarchical forms of the state, variously known as aristocracies or democracies or republics.

Some writers have averred that monarchy was the only form of government known to ancient India. They maintain that what are claimed to be republics were nothing more than tribal states. According to this view the Mālava-*gaṇa* and the Yaudheya-*gaṇa*, for instance, were not the Mālava and the Yaudheya republics, but the tribes of the Mālavas and the Yaudheyas respectively. This view, however, is untenable; for there is ample evidence to show that even if we grant that the Mālavas and the Yaudheyas were tribes, they had also a republican form of government. It can be proved beyond all doubt that *gaṇa* indicated a certain type of state, sharply distinguished from monarchy. When some merchants from Madhyadeśa, travelling in the Deccan, were asked by a local ruler as to who the kings were in their respective homelands, they replied, 'Sir, in the countries of some of us there are kings, but in those of others, there is *gaṇa* or democratic government.'[1] A Jain work warns a monk that he should avoid visiting a country which has no king, or has a crown prince as the ruler, or two kings fighting with each other, or is governed by the *gaṇa* form of government.[2] These two passages make it clear that *gaṇa* had a definite constitutional meaning and denoted a form of government, where the power was vested not in one person, but in a *gaṇa* or group of people. Saṅgha was another term used precisely in the same sense, because it was sharply distinguished from monarchy.[3] When, therefore, we get coin legends on hundreds of coins, referring not to the kings of the Yaudheyas, the Mālavas and the Arjunāyanas, but to their *gaṇas*, it is clear that they refer not

1. देव-केचिद्देशा गणाधीनाः केचिद्राजाधीनाः । *Avadānaśataka* II. p. 103.
2. अरायाणि वा गणरायाणि वा जुवरायाणि वा दोरज्जणि वा वेरज्जणि वा विरुद्धरज्जणि वा । *Āchārāṅgo-sūtra* II. 3. 1. 10.
3. क्षत्रियादेकराजात् संघप्रतिषेधार्थम् । Kātyāyana on Pāṇini IV. 1. 160

to their tribes but to their *gaṇa* or the democratic states, which
had authorised the coin issue.

Apart from the evidence of coin legends and technical
constitutional terms, we have also the valuable testimony of
some contemporary Greek writers to show that there were many
forms of non-monarchical states in ancient India. The account
of Greek writers is held at discount in some quarters;[1] it is
impossible not to suspect, they say, that the account of the
State machinery given by them was not deliberately assi-
milated to the forms of government prevailing in Helas.
It is very difficult to accept this line of argument. The poli-
tical sense was nowhere more developed and state institutions
better studied than in ancient Greece. Greek historians
found both monarchical and non-monarchical forms of the
state prevailing in India. They themselves liked democarcy
better than monarchy, and there is no reason to believe that
they would have gone out of their way in making a false state-
ment about the prevalence of democracy among Indians,
who were their bitter political opponents for more than two
centuries. A study of their writings show that they have
taken particular pains to distinguish the different forms of
government. Amphi was a king and so was Porus ; when the
latter became a faithful subordinate ally of Alexander the
Great, we are told that the Greek conquerer added a large
province to his kingdom, 'subduing inhabitants whose form
of government was republican'.[2] The government of the city
of Nyasa was in the hands of an aristocracy.[3] The Sabarcäë[4]
was a powerful Indian tribe, 'where the form of government
was democratic and not regal'.[4] To the east of the Beas
was a powerful kingdom 'in which the multitude was govern-
ed by the aristocracy, who exercised their authority with
justice and moderation.[5] There were a number of non-monar-
chial states in the Indus valley, but when the Greeks came·
across a monarchy in that region, the historians do not fail
to mention it. They are careful to point out that the king-
dom of Mausikanos was governed by a king and that of Patala,
by two kings belonging to two different families, but ruling
simultaneously with the help of the popular council. When
such minute facts about the variations in the forms of states

1. Beni Prasad, *State in Ancient India,* 168-9.
2. M'Crindle, *Alexander's Invasion,* p. 308-9.
3. *Ibid,* p. 81.
4. *Ibid,* p. 252.
5. *Ibid,* p. 121.

and administration have been carefully noticed by the Greek writers, we cannot brush aside their account on the fanciful plea that their imagination, which incited them to see Hellenistic things in non-Hellenic countries, was mainly responsible for their references to Indian republics.   M'Crindle's view that the independent or autonomous states mentioned by the Greek writers refer to village communities is equally untenable.[1] Greek authors in fact have never referred to the village life or village government.   Nor can we accept the opinion of Fick that the autonomous states of the Greek writers were individual cities or small states that maintained their independence in the neighbourhood of great monarchies like that of Magadha.[2]   The fact is that there was no such big monarchy in the Punjab in the days of Alexander the Great ; as a matter of fact non-monarchical states were more extensive and powerful than the monarchical ones in that province at the time.

It must have been noticed that the states under discussion have been so far described by us negatively as non-monarchical.   We must now proceed to ascertain their real form.   They have been sometimes described as mere tribal organisations, sometimes as oligarchies, sometimes as aristocracies and sometimes as republics.   Let us see what term will correctly describe their constitution.

It is argued that to describe these states as republics or democracies would be hardly justifiable.   P\ver was vested in these states not in the whole body of the citizens but in a small aristocratic class.   Thus among the Yaudheyas, we definitely know that the government was vested in a college of 5,000 persons, each of whom was required to present an elephant to the state.[3]   It is clear that the governing class of this state consisted of a rich aristocracy, members of which could afford to present an elephant to the state ; common people had no voice in its administration.   The same was also the case with the Śākyas and Koliyas; the question of peace or war, which vitally affected the fortunes of the man in the street, was decided there by the Śākya and Kolia *rājās*, who were a few hundreds in number ; the commoners like the farmers and the workers had merely to wait for and carry out the decisions of the privileged order.

1. *Ibid*, p. 115, n. 2.
2. Fick, *Social Conditions in the North-Eastern India*, p. 137.
3. M'Crindle, *Invasion of Alexander the Great*, p. 121.

It can be at once conceded that the *gaṇa* states of the Yaudheyas and the Śākyas, the Mālavas and the Lichchhavis were not democracies or republics in the sense in which we understand these words today. Government there was admittedly not vested in the whole body of adult citizens, as is the case with most of the well developed modern democracies. We can, however, still describe these states as republics. Standard works and authorities on the political science define republic as a state, where the sovereign power vests, not in a single person as in monarchy, but in a group or college of persons, more or less numerous. Oligarchies, aristocracies and democracies have all been labelled as republics. Thus Sparta, Athens, Rome, medieval Venice, the United Netherlands and Poland have all been described as republics, though none of them possessed that full democratic character, which we are at present inclined to consider as the most distinguishing feature of a republic. In the republics of ancient Greece and Rome, the franchise was in the hands of a small minority, who governed a vast majority, consisting of persons like mechanics and artisans who were personally free and yet had no franchise and also of slaves. Democracy was a reality only with reference to the small class of full fledged citizens, and not the whole population. In the medieval republic of Venice, after the closing of the council, the franchise was confined to a strictly limited aristocracy, which itself was dominated by a small oligarchy. The republic of the Seven States of Netherlands was no doubt governed by an elected Stateholder, but he was raised to that position by the votes of a very small body of burghers, who only had the franchise. And even in modern times in the U. S. A. millions of Negroes had no franchise for a long time and England had a number of pocket boroughs till the middle of the 19th century. In the 20th century France, half the population has no franchise, for women in that country cannot yet vote in elections.

With this theoretic background and historic evidence, we can certainly describe ancient Indian *gaṇa* states as republics in the same sense in which the ancient states of Greece and Rome were given that designation. Sovereignty in these states was vested not in one individual, nor in a small number of persons, but in a fairly numerous class. Vaiśālī was a small *gaṇa* state, hardly covering more than two modern districts, and yet its governing class consisted of 7707 persons. The members of this class were called *rājās* because they all belonged to the Kshatriya class ; Śabara expressly states that the term *rājā*

was synonimous with the word Kshatriya.[1] This custom pre-vailed in most of the *gaṇa* states in north-eastern India.[2] We can now well understand why the *Amarakosha* states that *rājan-yaka* denotes a *gaṇa* state of the Kshatriyas[3] and why the Vrish-ṇis expressly aver[4] that they were a *gaṇa* state of the Rājanyas or the Kshatriyas. In the north-western republics, the members of the governing classes were also numerous and they followed trade and commerce also in addition to the military profession.[5]

The governing class in the *gaṇa* states thus seems to have consisted mostly of Kshatriyas and it was probably more numerous than the corresponding class in the ancient republics of Greece or Rome. We can, therefore, legitimately describe the ancient *gaṇa* states as republics in the same sense in which the standard works on the political science describe the states of Athence, Sparta or Venice as republics, remembering at the same time that they were not democracies of the modern types, where the franchise is vested in as large a number o citizens as possible. Political power was mainly in the hands of the Kshatriyas. In ancient Greece, there was often a conflict between Aristocracy which wielded the power and the common people, who wanted to have it. We do not know whether there were such conflicts in ancient India.

There is sufficient evidence to show that in the *Gaṇa* states the non-Kshatriyas were sharply distinguished from the ruling aristocracy. This distinction was so well established that special terms were devised to indicate it. Thus in the Mālava and Kshudraka *Gaṇa* states, the terms Mālava and Kshudraka denoted only the members of the privileged Kshatriya order ; those, who were neither the Kshatriyas nor the Brāhmaṇas, were called not Mālavas or Kshudrakas but Mālavyas and Kshudrakyas respectively. It seems that the Brāhmaṇas could get exemptions from this newly coined word under certain circumstances, which, however, are not quite clear.[6]

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1. *P. M.,* II.
2. लिच्छविकवृज्जिकमल्लकभद्रककुक्कुरकुरुपांचालादयो राजन्यशब्दोपजी-
    विनः ।   *Arthaśāstra,* Bk. XI.
3. अथ राजकम् । राजन्यकं च नृपतिक्षत्रियाणां गणे क्रमात् । II. 8. 9. 3.
4. वृष्णिराजन्यगणस्य जयः ।
5. काम्बोजसुराष्ट्रक्षत्रियश्रेण्यादयो वार्ताशस्त्रोपजीविनः । *Artha.,* XI. 1.
6. आयुधजीविसंघाञ् य्यड्वाहीकेष्वब्राह्मणराजन्यात् Pāṇini. V. 3. 114.
    वाहीकेषु य आयुधजीविसंघस्तद्वाचिनः प्रातिपादकाद्ब्राह्मणराजन्य-
    वर्जितात् स्वार्थे य्यट्प्रत्ययो भवति । ब्राह्मणे तद्विशेषग्रहणम् । राजन्ये
    तु स्वरूपग्रहणमेव । क्षौद्रक्यः क्षौद्रक्यौ क्षुद्रकाः । मालव्यः, मालव्यौ
    मालवाः । *Kāśikā,* on V. 3. 114.

Let us now trace the history of our republics. As shown already, monarchy was the normal form of government in the Vedic age. It was a period of Aryan expansion and the advantages of a capable and unitary leadership were naturally valued. Curiously enough a tradition narrated to Megasthenes in the 4th century B. C. also averred that monarchy was the earlier and democracy the later form of government.[1] The Madras, the Kurus, the Pāñchālas, the Śibis and the Vidchas, who figure as republics in the 6th century B. C., were all monarchies in pre-historic times as shown by the pre-Buddhist genealogies of their dynasties preserved in the Purāṇas.

The concluding hymn of the *Rigveda* prays that the deliberations of the *samiti* should be harmonious and the minds of its members well-disposed towards one another and its conclusions unanimous.[2] It is not impossible to argue that the hope and the desideratum expressed in the hymn refers to the deliberative and administrative activity of a republican state. Usually, however, the *samiti* is associated with a king and served as a check upon his powers. It is, therefore, doubtful whether it denoted the Central Assembly of a republican state. The hymn by itself cannot conclusively prove the existence of a republican state.

In one place we get a reference to several kings meeting together in one *samiti*. In another place we get the significant statement that he alone becomes a king whose leadership of the state is assented to by *other kings*.[3] The *kings* here referred to were probably the *viśpatis*, whose position has already been discussed in Chap. V (p. 48); and the state contemplated by this passage is one which was the prototype of the later republics already described above. The sovereign power was of course not in the populace in general but in the aristocratic leaders of the cantons who were fairly numerous. If the kingship or leadership assented to by them became hereditary in the course of time, the normal monarchy of the later period was evolved. If, on the other hand, power was delegated to their leader by the members of the aristocracy for a short time, and if the leadership was not

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1. Cf. 'At last after many generations had come and gone, the sovereignty, it is said, was dissolved and a democratic government set up in the cities'. Arian, Chap. IX.

2. समानो मंत्र: समिति: समानी समानं मन: सह चित्तमेषाम् । X. 191. 2.

3. यत्रौषधी: समामत राजान: समिताविव । R. V., X. 97. 6.

4. यस्मै वै राजानो राज्यमनुमन्यन्ते स राजा भवति न स यस्मै न ।
<div align="right">S. Br., IX, 3, 2, 5.</div>

allowed to become hereditary, then circumstances were created
which were to develop into the Kshatriya republics of the later
times known as *gaṇas* or *saṁghas*. It is interesting to add that
the kingship that is disclosed in Homer was similarly replaced
by aristocracy at *c.* 700 B. C. on account of the power passing
into the hands of a relatively small number of privileged
persons.[1]

A well-known passage in the later Vedic literature observes
that the kings of the easterners were known as *Samrāṭs* or emperors,
those of the Sātvatas as *Bhojas*, those of the Nichyas and Apā-
chayas as *Svarāṭs*, while the countries to the north of the Hima-
layas like the Uttaramadras and Uttarakurus had a *Vairājya*
state and their *people* were called *Virāṭs*.[2] There is some differ-
ence of opinion about the meaning of the terms *Svarāṭs* and
Bhojas,[3] but there can be no doubt that the *Vairājya* states of
the Uttarakurus and the Uttaramadras were either democra-
cies, because their *citizens and not kings* are expressly said to be
consecrated for the rulership.[4] It is worth noting that the
homeland of the Uttarakurus and the Uttaramadras conti-
nued to have republican states down to the 4th century A. D.,
as will be soon shown.

In historic times republics were flourishing in ancient
India in a north-western and in a north-eastern zone. Curi-
ously enough south India, where democracy was more effect-
ive in the realm of local government than in north India, does
not seem to have developed any democratic state or republic.

1. Dunning, *Political Theories*, I, pp. 7-8.

2. ये के च प्राच्यानां राजानः साम्राज्यायैव तेऽभिषिज्यन्ते । ये के च
परेण हिमवन्तं जनपदा उत्तरकुरव उत्तरमद्रा इति वैराज्यायैव
तेभिषिच्यन्ते विराडित्येतानभिषिक्तानाचक्षते । *A. Br.*, VII. 3. 14.

3. Dr. Jayaswal contends that they denote republican states (*Hindu
Polity*, I pp. 90-1), but this does not seem probable.

4. Sāyaṇa's explanation of वैराज्य as इतरेभ्यो भूपतिभ्यः श्रेष्ठयम्
is due to his ignorance of a democratic state. The *Mbh.* XII. 67. 54
describes a *virāṭ* as one of the synonyms of the word king. But just as
we can explain *Virāṭ* as a *viśeshena rājā*, we can as well explain
Vairājya state as one, which is devoid of (*vi*) the king. The *Vedic
Index* explains *Vairājya* as a form of royal authority, but if in that
state, the whole people, and not the kings only, were consecrated to
the rulership, is it not reasonable to assume that the sovereignty in the
Vairājya state was vested not in one individual, but in a large class,
if not in the whole population ?

We shall now briefly notice the different republics that flourished in historic times. We shall start from the north-west.[1]

The Punjab and the Indus valley were pre-eminently the land of republics from c. 500 B. C. to 400 A. D. Unfortunately in the case of some of them, we know nothing but their names fortunately preserved by the grammarians. To this category belong the Vṛikas, the Dāmaṇis, the Parśvas and the Kambojas. The Trigarta-shashṭhas formed in the days of Pāṇini a confederation of six states which, according to the Kāśikā (composed about a thousand years later), were Kauṇḍoparatha, Daṇḍaki, Kaushṭaki, Jālamāni, Brāhmagupta and Jānaki. Coins issued with legend *Trakatajanapadasa,,* coinage of the Trakata (Trigarta) country, seem to have been issued by them.[2] It is likely that this confederation flourished in the Jalandar Doab and later became a unitary state under the name of the Kuṇindas, coins issued by whom, but belonging to a later period, have been found in large numbers. The Kuṇindas flourished down to the 3rd century A. D. and offered valuable cooperation to the Yaudheyas in overthrowing the Kushāṇa empire.[3]

The Arjunāyanas flourished as a republic in the Agra-Jaipur tract from c. 200 B. C. to c. 400 A. D. Their coins have been found, which do not bear the name of any king or general ; the legend is simply *Arjunāyanānam jayaḥ,* 'victory to the Arjunāyanas'. The coins belong to c. 100 B. C., but the Arjunāyana state must have been much more ancient, for the ruling class believed that it was descended from Arjuna, the

1. Our chief sources of information about the republics of ancient India are the Greek writers for the north-western zone and the Buddhist works for the north-eastern one. Very valuable glimpses are also obtained from grammarians like Pāṇini, Kātyāyana, Pantañjali, Jayāditya and Vāmana, when they proceed to explain the formation of some terms connected with the political constitution. The *Mahābhārata* has two valuable chapters, written from a sympathetic point of view, directly describing some aspects of the working of the constitution of these states (XII, 81 and 107). The *Arthaśāstra* Bk. XI, is mainly interested in describing measures to break the power of the *gaṇas* and *saṁghas,* but while doing so, it gives us some glimpses of their constitution.

2. Allan, *Coins of Ancient India,* Pl. XXXIX, 10. The legends on the coins issued by these republics afford very valuable and concrete evidence to prove their existence.

3. Majumdar and Altekar : *The Age of the Vākāṭakas and the Guptas,* Chapter II.

epic hero. They worked in close cooperation with the Yaudheyas, their northern neighbours, who believed themselves to be the descendants of Dharma, the eldest brother of Arjuna.

The Yaudheya republic was a fairly extensive state. The findspots of its coins show that it extended from Saharanpur in the east to Bahavalpur in the west, from Ludhiyana in the north-west to Delhi in the south-east. It was a confederation of three republics. Rohtak in the Punjab was the capital of one of them, and northern Pañchāla, known as Bahudhānyaka (rich in corn) country, was the centre of power of the second. Northern Rajputana seems to have been in the jurisdiction of the third. The powerful trans-Beas state, mentioned by Alexander's historians, which possessed fertile territory and virile inhabitants, and which was governed by an aristocracy exercising its power with justice and moderation, is obviously the Yaudheya republic. The Yaudheyas had an unsurpassed reputation for bravery, and no wonder ; for they were the devotees of Kārttikeya, the generalissimo of gods. They were, therefore, also known as Mattamayūrakas, peacock (*mayūra*) being the vehicle of Kārttikeya.[2] It was this reputation of their bravery and the report about the rich resources of their state that made Alexander's soldiers lose their heart and refuse to advance further. The Yaudheyas continued to flourish down to the end of the 1st century A. D., when they were temporarily overpowered by Kanishka I. But they soon became 'insubordinate', as a record of their enemy puts it, 'owing to their pride due to their valour being respected by all the Kshattriyas',[3] and rebelled against the Kushāṇa hegemony. They not only reasserted their independence in *c.* 225 A. D., but dealt a powerful blow to the Kushāṇa empire from which it could not recover.[4] They were flourishing as a republic down to *c.* 350 A. D. Their subsequent history is unknown.

The Madras in the Central Punjab were a republican state during the 4th century A. D.; they seem to be identical with the Kaṭhas whose republic is mentioned by Alexander's historians with its capital at Sialkot. They disdained to purchase peace by surrender and fought against the Greek invader to the bitter end. This republic continued to flourish down to the 4th century A. D.

1. *Ibid.*
2. *Mbh.,* V. 35. 3-4.
3. Junagad inscription of Rudradāman I.
4. Majumdar and Altekar : *The Age of the Vākāṭakas and the Guptas,* pp. 28-33.

The Mālavas and the Kshudrakas were among those re-
publics, which offered stoutest resistance to Alexander the Great.
The region between the Chenab and the Ravi along with some
territory further south was the homeland of the Mālavas at this
time, and the Kshudrakas were their southern neighbours.[1]
In order to meet Alexander's invasion, they formed an alliance,
but before their armies could effect a juncture, Alexander struck
against the Mālavas. The Mālavas, who could muster an army
about 1,00,000 strong, offered bitter opposition, and Alexander
almost lost his life while trying to capture one of their forts. Even-
tually both the Mālavas and the Kshudrakas were compelled to
sue for peace. The two states, however, became wiser by this
defeat and formed a confederation which lasted for several cen-
turies. In the *Mahābhārata*, the Mālavas and the Kshudrakas
are always mentioned together,[2] and grammarians refer to a
peculiar dual compound formed from the names of the two states.
Later on the Kshudrakas seem to have completely merged in
the Mālavas, who eventually migrated to Ajmer-Chitor-Tonk
area in *c.* 100 B. C., and to the modern province of Mālwā
about 400 years later. They were for a time subjugated by
the Scythians in *c.* 150 A. D., but they reasserted their inde-
pendence in *c.* 225 A. D. They claimed descent from the
illustrious Ikshvāku stock of Srī-Rāmachandra. They have left
a very copious copper currency, whose legends do not mention
any king but commemorate the victory of the Mālava republic.

The precise location of the Agesinae and the Śibis, who
were in the neighbourhood of the Mālavas at the time of Alexan-
der's invasion is not known. The Śibis had a monarchy in
the earlier days but became a republic later. By *c.* 100 B. C.
they migrated to Mādhyamikā, near Chitor in Rajputana,
where a large number of their coins, issued in the name of their
Commonwealth, and not that of any king, have been found.[3]

In the neighbourhood of the Kshudrakas there was another
republic, that of the Ambashṭhas (Sambastai of the Greeks).
Curtius expressly describes their form of government a demo-
cratic. They had an army of 60,000 foot, 6,000 cavalry and
500 chariots, and had elected three generals to oppose Alexander
the Great. Eventually, however, they decided to submit to

1. Mc. Crindle, *Invasion of Alexander*, pp. 138 ff.
2. II, 79, 90 ; V, 57, 18.
3. The legend is 'Majhamikāya Śibi-janapadasa' (The coinage) of the
   Śibi country or commonwealth (issued in the city) of Majhamikā
   or Mādhyamikā. Allan, *Coins of Ancient India*, p. cxxiv.

him following the advice of their elders.   Their later history is not known.

. The Andhaka-Vrishnis of Dvārakā in Kathiawar had also a republic.   It was flourishing since pre-historic times, because it is referred to in the *Mahābhārata*.   The *saṃgha* states of Kathiawar mentioned by the *Arthaśāstra* (Bk. XI) appear to have continued the ancient republican tradition.

The Buddhist canon and the Jātakas and their commentaries disclose the existence of a large number of republics flourishing in the Gorakhpur division of U. P. and in northern Bihar. Of these the Bhaggas, the Bulis, the Koliyas and the Moriyas were very small states, hardly more extensive than a tehsil or two of the modern times.   The Śākyas, the Mallas, the Lichchhavis and the Videhas were relatively larger, but the total extent of the territories of all these four states did not cover an area of more than 200 miles in length and 100 miles in breadth, between Gorakhpur in the west and Darbangha in the east, between the Ganges to the south and the Himalayas to the north. Of these four states, that of the Śākyas was the smallest and occupied a portion of Gorakhpur district.   The Mallas were to their east and occupied the territory upto Balia district.   Then came the Lichchhavis and the Videhas.[1]

Some doubts arise as to the nature of the Śākya state.   Some references in the Buddhist canonical literature suggest that the Śākyas had a monarchy.   Bhaddiya, who was a king in Buddha's time, takes a week to arrange for the succession to his kingdom when he decides to enter the Holy Order.[1]   We, however, know that each member of the Kshatriya aristocracy which ruled these eastern states, was entitled to call himself a *rājā*, and Bhaddyia may have been a *rājā* in that restricted sense of the term.   Jātaka evidence shows that the Śākyas had an Assembly Hall, where all of them used to meet and decide important questions of peace, war and alliance.   It does not refer to a hereditary king ruling over the whole state.

There is no doubt that the Mallas, the Lichchhavis and the Videhas were republics during the life time of the Buddha.

1.   It will thus be seen that these republics were not much larger than the city states of ancient Greece.   Sparta, the biggest state had an area of 3360 sq. miles ; the area of the Lichachhavi state was approximately the same.   Athens at the time of its greatest prosperity ruled over 1060 sq. miles, which seems to have been the area of the Śākya republic,

Their neighbours, the kings of Magadha and Kośala, were anxious to conquer them, and so we find these republics often forming confederation among themselves. Sometimes we find the Lichchhavis confederating with the Mallas and sometimes with the Videhas. The latter two, however, disappear from history from c. 500 B. C., when they were conquered by Magadha. The Lichchhavis had also to bow down before the Magadhan imperialism, but they reasserted their independence by c. 200 B. C. They were a powerful state at the beginning of the 4th century A. D. and it was by an alliance with them that the Guptas could rise to the imperial position.

We shall now proceed to consider the constitution and the administrative machinery of ancient Indian republics. Our main handicap is the absence of sufficient evidence to enlighten us upon the point. We shall have to consider disconnected data, often belonging to widely distant centuries and referring to different states and draw a composite picture. This method has its own obvious limitations and dangers, but there is no other procedure possible in the present state of our knowledge.

It is clear that the constitutional machinery of small states like those of the Moriyas, the Koliyas and Śākyas, which included hardly a few score villages in their jurisdiction, must have been different from that prevailing in big states like those of the Yaudheyas and Mālavas, which covered extensive territories including dozens of cities and thousands of villages. It appears that in the small states of north-eastern India, most of the members of the Central Assembly lived in the capital where they used to meet frequently in the Assembly Hall (*santhāgāra*) to transact the business of the state. Each member of the aristocratic order was known as a *rājā* and his son an *uparājā*.[1] Probably the *rājā* held some zemindari land in the moffusil which he managed through his local agents. Besides the governing

This is in my opinion the correct interpretation of the statement,

तत्थ निच्चकालं रज्जं कारेत्वा वसंतानं येव राजूनं सत्तसहस्सानि सत्तसतानि सत्त च राजानो होंति तत्तका येव उपराजानो तत्तका सेनापतिनो तत्तका भंडागारिका। *J.* I, p. 504.

Dr. Bhandarkar's view that this statement suggests that the Lichchhavi state was a confederation of 7707 principalities, each having full authority under its *rājā, uparājā* etc., does not seem probable. *Carmichael Lectures,* 1918, p. 135. Such a big confederation is impracticable.

For Dr. R. C. Majumdar's interpretation, see *Corporate Life,* pp. 93-4 (1st edition).

class, the population consisted of a large number of farmers, servants, serfs and artisans. When a quarrel arose between the farmers and servants of the Koliyas and the Śākyas about the distribution of the water of the Rohiṇī, they reported it to the officer of their own state, who in turn appraised their *rājās* about it. It is the latter, who decided to go on war with the opposing state. This incident, therefore, shows that the commoners had not much voice in the momentous decisions of the central government on important topics like peace or war, which affected the whole population. There were, however, a number of small towns and villages in the Śākya state, which had their own Assemblies meeting in their Assembly Halls (*santhāgāras*). It is very likely that in these village assemblies the non-privileged classes may have had an equal voice in local affairs.

The administration of bigger states like that of the Yaudheyas or the Mālavas was naturally organised in a different way. They were divided into provinces, each under a separate governor, probably recruited from the privileged class. The numerous cities of the state constituted separate government units, completely autonomous, and administered by their leading men. Unfortunately we do not know how these city councils were constituted. It is likely that the members of the privileged order may have dominated in them, but what we know of other city councils functioning in monarchical states enables us to infer that traders, artisans and agriculturists also belonging to the general population, may have had their own representatives on that body. In the village councils of the hundreds of villages that were situated in these states, the average population must have had the dominating voice. It is likely that the headman of the village may have been a member of the ruling class ; the bureaucracy also may have been largely recruited from it. But the vast majority of the members of the village councils must have belonged to the different trades and professions which were recruited from all classes and castes.

The sovereignty in these republics was vested in a very large Central Assembly. Its membership is stated to have been as high as 5,000 among the Yaudheyas and 7,707 among the Lichchhavis. The Kshudrakas had sent 150 of their leading men to negotiate peace with Alexander; the number of the members of their Central Assembly may have been about five times larger. These figures no doubt strike us as very large; but we

The assembly hall of the village Chatuma is expressly mentioned in the Buddhist canonical literature. *M. N.*, I. 457.

should not forget that in contemporary Greece, the Athenian Assembly consisted of 42,000 citizens, each of whom had a right to attend its meetings. In actual practice, however, not all the members cared to attend. The country people did not like to spend time and money to attend all the meetings. The normal attendance was 2,000 to 3,000, hardly 7 or 8 per cent. of the total membership. The Central Assembly of 7,707 members of the Lichchhavis or of 5,000 Yaudheyas probably consisted of the descendants of the founder members of the privileged aristocracy who were all entitled to the honorific title *rājā*.[1] Some of them stayed at the capital and some were scattered in moffusil or serving there as important government officers. They were all entitled to attend, but at ordinary meetings of the Assembly hardly 10 per cent. members may have attended, as in ancient Athens. If a city like Nyasa had an Assembly of 30 councillors, a big state like that of the Yaudheyas may well have had one of 5,000. We should not forget that the membership depended upon belonging to the privileged order, and no one who belonged to it by his birth and extraction could be excluded from it; each member was extremely jealous of his proud position and extraction. There was no question of the possibility of a number of them being represented by one deputy, even if the principles of representation had been known at the time, which of course was not the case. In ancient Indian republics, there was then no electoral role giving a list of qualified voters; nor were there any periodical elections. Had any such existed, they would have been referred to in the literature bearing upon the science of polity.

Dr. Jayaswal has suggested that in some of these states there were two Houses, an Upper and a Lower House.[2] This seems to be very improbable. The members of the privileged classes, who constituted the Assembly, were very jealous of their status and extraction, and would hardly have tolerated an Upper House. The 'elders', on whose advice the Ambashthas

1. One Jātaka states that there were twice eighty four thousand nobles at Vaiśāli (I. 271). Probably the total population of the ruling class was 1,68,000 and the Assembly probably consisted of the heads of big joint families, each consisting of about 25 persons.

2. *Hindu Polity*, p. 84. The grammatical *Sūtra Saṁghe Chānuttarādharye* (Pāṇini, III. 3. 42) does not at all refer to the higher and lower houses of a legislative assembly. It does not refer to a political constitution but to the groups of monks, Brāhmaṇas and herds of swine and points out that in one case there is a difference among members and in the other case there is none.

decided to make peace with Alexander, were not the members of a.House of Elders, but the senior persons of their own order.

Sovereignty was vested in these large Central Assemblies, which were very jealous of their rights and powers. They elected not only the members of the executive, but also the military leaders. When reports reached about the impending invasion of Alexander the Great, the Ambashṭhas elected three generals renouned for their bravery and military skill to lead their armies. It seems that like the Roman senate, the Assemblies of these republics elected their own generals for the different campaigns.[1] The election in the beginning at any rate was for a specific campaign; this was a precaution against a general seizing all the powers of the state. What was true of the Ambashṭhas of the 4th century B. C. was true also of the Yaudheyas of the 4th century A. D., for an inscription of the Gupta period refers to a general elected, *puraskṛita*, by the Yaudheya-gaṇa.[2] Gradually these tended to become hereditary. The Mālava general, who regained the independence for his state in *c.* 225 A. D., belonged to a family which was entrusted with the military leadership for three generations. Its leaders, however, were not permitted to have any regal title like *rājā* or *mahārāja*.[3]

The evidence of the Buddhist literature shows that the Central Assemblies of the republics controlled foreign affairs, entertained foreign ambassadors and princes, considered their proposals and decided the momentous issues of peace and war.[4] On grave occasions the latter power was entrusted to a smaller body; the 150 'ambassadors' deputed by the Kshudrakas to Alexander the Great, were obviously the leading members of their Central Assembly; they had been entrusted with full powers to conclude the treaty.[5] Some writers were of the opinion that it is in the interest of the *gaṇas* themselves that they should not discuss delicate questions like peace and war in the General Assembly, but should leave them to the decision of the Executive.[6] It is quite possible that this policy my have

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1. In ancient Athens also generals were elected by the people. Dunning, *Political Theories*, I. p. 15.
2. Fleet, *C. I. I.*, III. p. 252.
3. Cf. जयसोमपुत्रस्य सोगिनेतु: श्रीसोमस्य । ll. 15-16. Nandsa inscription, (Being published in *E. I.*, XXVII or XXVIII).
4. *Jātaka*, IV. 145 (No. 465) ; Rockhill, *Life of the Buddha*, pp. 118-9.
5. M'Crindle, *Alexander's Invasion*, p. 154.
6. न गणा: कृत्स्नशो मंत्रं श्रोतुमर्हन्ति भारत ।
   गणमुख्यैस्तु संभूय कार्यं गणहितं मिथः ॥ *Mbh*, XII. 107. 24.

been followed in some states in order to ensure secrecy, so
necessary for the success in foreign policy. But their number
was not large, for one of the weaknesses of the *gaṇa* state
frequently emphasised by constitutional writers is its incapacity
to preserve political secrets.

Generally speaking the Executive was under the complete
control of the Central Assembly in the republican states.
Śrīkṛishṇa, who was the President of the Andhaka-Vṛishṇi
state, bitterly complains to Nārada that he is not the master
but the slave of the Central Assembly, as he has to listen
patiently to the bitter criticisms of the different parties.[1] The
Arthaśāstra (Bk. XI) shows that if the President of the *Saṁgha*
(*Saṁghamukhya*) or the members of the Executive Council were
guilty of the mismanagement of the public funds or of violating
the ordinary laws of the land, they could be dismissed and
punished by the state tribunals. The Executive was thus
under the complete constitutional control of the Central
Assembly. Though there is no specific evidence on the point,
it is almost certain that the appointments to the state services
and the governorships of the provinces must have been made
by the Central Assembly. That must have been one of the
reasons for the keen contest for power that was often going
on in that body.

The Assembly Hall also served the purpose of a social,
club, where social and religious topics were also discussed at
times. The Mallas of Kusinagar discussed the problems about
the funeral of the Buddha and the disposal of his ashes in their
Assembly Hall. They, as well as the Lichchhavis, are known
to have requested the Blessed One to perform the opening
ceremonies of their new Assembly Halls by first using them
for delivering a sermon to a congregation assembled therein.

The meetings of the Assembly held for such religious or
social functions may have been peaceful ; but such was not
very often the case when political matters of moment had to
be discussed and decided. Many of the Assemblies of these
republics, like the Parliaments and municipalities of the modern
age, were torn by party factions; in fact the Buddhist
literature, the *Asthaśāstra* and the *Mahābhārata* point out that
family quarrels, party factions, lure of corruption, internal

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1. दास्यमैश्वर्यभावेन ज्ञातीनां वै करोम्यहम् ।
    अर्धभोक्तास्मि भोगानां वाग्दुरुक्तानि च क्षमे ॥ *Mbh,* XII. 81. 5.

dissensions and mutual recriminations among the members of
the Assembly constitute the main weaknesses of the *gaṇa* states.
The Buddha and Nārada, who veiwed the republics with a
sympathetic eye, warn them against these dissensions and give
helpful suggestions as to how they were to be avoided.[1]
Kauṭilya, who was unsympathetic to them, suggests several
crooked methods by which the internal feuds could be
further intensified (Bk. XI).

Personal rivalry and greed for power were usually at the
root of party factions. As in modern times, so in ancient days,
members used to form groups of their own in order to get
power for themselves. Those, who were energetic in habits
and skilful in organisation and noted for successful oratory,
usually succeeded in gaining power in their hands.[2] When
two parties were more or less evenly balanced, small groups
of members made or unmade the governments as in modern
days. Some members had a nuisance value; they were
equally a source of trouble whether they were included or
excluded from the party. Ahūka and Akrūra had the un-
enviable reputation of belonging to this class in the Andhaka-
Vṛishṇi state.[3] As in modern times so in ancient days, it was
usually found to be a difficult task to oust the party in power.[4]
When the Assembly was torn by factions, the task of its Pre-
sident was very difficult. Often he was furiously attacked by
both the parties, neither of whom was usually entirely in the
right. Under such circumstances, like the mother of two sons
who are gambling with each other, the impartial President,
anxious for the interest of the state, could wish success to
neither party.

1. Cf. भेदमूलो विनाशो हि गणानामुपलक्षये ।
     मंत्रसंवरणं दुःखं बहूनामिति मे मतिः ॥....

     कुलस्य कलहा जाता मंत्रवृद्धैरुपेक्षिताः ।
     गोत्रस्य नाशं कुर्वन्ति गणभेदस्य कारकम् ॥
     भेदाच्चैव प्रदानाच्च भिद्यन्ते रिपुभिर्गणाः ॥ *Mbh*, 107. 27—32.
     See also *Dialogues of the Buddha*, II, p. 80.

2. अन्ये हि सुमहाभागा बलवन्तो दुरासदाः ।
     नित्योत्थानेन संपन्ना नारदान्धकवृष्णयः ॥
     यस्य न स्यून्नं वैं स स्याद्यस्य स्युः कृत्स्नमेव तत् ॥ *Mbh.*, XII. 81. 8-9.

3. स्यातां यस्याहुकाक्रूरौ किं नु दुःखतरं ततः ।
     यस्य चापि न तौ स्यातां किं नु दुःखतरं ततः ॥ *Mbh.*, XII. 81. 10.

4. बभ्रुप्रसेनतो राज्यं नाप्तुं शक्यं कथंचन ।
     ज्ञातिभेदभयात्कृष्ण त्वया चापि विशेषतः ॥ *Mbh.*, XII. 81. 17.

It is but natural that some rules of procedure should have been evolved as far as the debates and working of the Assembly were concerned. But unfortunately they are not anywhere described by our political writers. We can get, however, some idea in the matter if we assume, as is very probable, that the rules of the procedure and the debate in the meetings of the Buddhist *saṁgha* were modelled on those of the Assemblies of the *gaṇa* or *saṁgha* states. A Buddhist chapter required a quoram of 20; it is very likely that a similar rule may have prevailed in the meetings of the political *saṅgha*, especially when we remember that usually there were parties keen in getting power in their own hands. There was an officer who was in charge of the allotment of seats; probably the executive had the seats on a dais and other members were grouped partywise in their front. The *saṁghamukhya* or the President of the state presided over the Assembly and regulated its debate. He was to observe strict impartiality; otherwise he was furiously criticised. The resolution was formally moved by its mover and then the debate followed. In the Buddhist *saṁgha* the practice was that those in favour of the proposal kept silent, while those who were against it expressed their dissent. It is, however, very likely that in the political *saṁgha* where passions often ran high, both sides must have voiciforously expressed their votes. In the Buddhist *saṁgha*, as in some modern legislatures, a motion was thrice proposed and passed. One may doubt whether this procedure was followed in the meetings of the political Assemblies. In the case of difference of opinion, votes were taken and the majority view prevailed. When the ultimatum was received by the Śākyas from the Kośala king who was besieging their capital, their Assembly assembled to deliberate whether they should open the gates or not. Some favoured the proposal, others opposed it. Eventually, therefore, votes were taken to ascertain the majority view, which it was discovered favoured capitulation.[1] Accordingly action was taken. This procedure, being the obvious and natural one, must have been followed everywhere.

In the ideal *gaṇa* state, however, matters were not pressed to vote. Meetings were characterised by concord and harmony, and the opinion of the elders, and not the votes of the majority, decided the issue. This was the usual practice among the Lichchhavis during the golden period of their constitution.[2] The Assembly of the Ambashṭhas first appointed

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1. Rockhill, *Life of the Buddha*, pp. 118-9.
2. *Dialogues of the Buddha*, II. p. 80.

their capable generals to oppose Alexander, but eventually accepted the advice of their elders and decided to make peace proposals.

It is almost certain that there must have been clerks of of House, who must have kept records of its proceedings. Matters when once properly and finally decided, were not allowed to be reopened.

Let us now consider the Central Executive of the *gaṇa* state. Its membership varied with the size and traditions of each state. The Malla state, which was small, had an executive of four members only, all of whom are known to have taken a prominent part in the funeral of the Buddha. The Lichchhavis, whose state was a bigger one, had a council of nine, though the membership of their Assembly numbered 7,707. The confederation of the Lichchhavis and the Videhas had an executive of 18. We have no information of the strength of the executive of the larger states like the Yaudheyas, the Mālavas and the Kshudrakas. The 150 eminent men of tall stature and stately appearance, that were sent by the Kshudrakas to Alexander, had full powers to settle the peace terms. This would suggest that they constituted their executive. But an executive of 150 is rather too large even for a big state.

The Central Assembly must have elected the members of the Executive Council. Whether the election could be made from among the members of a few leading families, or whether any body could offer himself as a candidate, we do not know. Gradually in the course of time, the posts of the councillors became more or less hereditary, though a formal election was probably necessary before the son could succeed the father. The family of Śrīsoma, who succeeded in recovering the independence of the Mālavas, was at the head of its executive and military affairs at least for three generations.[1] The *Artha-śāstra* shows that the sons of Councillors, if not permitted to succeed to the posts of their fathers, would often create commotion in the body politic by joining the enemy. Among some republics, like those of the Lichchhavis and the Yaudheyas, the councillors were given regal title. The Mālavas, however, did not permit this procedure; even the great leader, who reestablished their independence in *c.* 225 A. D. is seen not

Cf. समुद्धृत्य पितृपंतामहीं धुरम् l. 4, Nandsa inscription.

to take any royal titles in the document of the official pro-
clamation of his victory.

The *gaṇa* states were famous for their military
traditions. We may, therefore, take it for granted that the
members of their Executive must have been normally capable
generals and dauntless leaders, competent to guide the state on
occasions of emergency. In addition they were to be men of
tact and experience, energetic in action, firm in resolution
and well grounded in the laws, customs and traditions of the
country.[1]

The President of the Executive Council was probably the
President of the Assembly also. Besides supervising the general
administration, one of the chief concerns of the President was
to ensure internal harmony by promoting concord and prevent-
ing quarrels.[2] For internal dissension was the main weakness
of a *gaṇa* state, which often contributed to its downfall.
Foreign affairs constituted the portfolio of one member; he
used to receive the reports of spies and members of the secret
service. Treasury was in charge of a second member; he was
also authorised to invest the state funds and to realise the state
debts.[3] Justice was the portfolio of a third member; he was to
decide civil and criminal cases, probably as an appellate court,
according to the laws of the land.[4] The *Arthaśāstra* describes
how hostile kings would try to bring him into disrepute by
sending young widows to him, ostensibly for the purpose of
pleading for their rights to property, but really for leading
them astray into the path of vice. The police and revenue must
have been the portfolioes of two members, as also trade and
industry; we should not forget that many of the republics were

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1. प्राज्ञान् शूरान्महोत्साहान्कर्मसु स्थिरपौरुषान् ।
   मानयन्तः सदा युक्तान् विवर्धन्ते गणा नृप ॥
   द्रव्यवन्तश्च शूराश्च शस्त्रज्ञाः शास्त्रपारगाः ।
   कृच्छ्रास्वापत्सु संमूढान् गणान्सन्तारयन्ति ते ॥ *Mbh.* XII. 107. 20-1.

2. *Mbh.* XII. 81 gives a graphic account of the efforts of Kṛishṇa, the
   president of the Vṛishṇi republic, in this connection.

3. चारगन्त्रविधानेषु कोषसंनिचयेषु च ।
   नित्ययुक्ता महाबाहो वर्धन्ते सर्वतो गणाः ॥ *Mbh.* XII. 107. 19.
   See *Arthaśāstra* Bk. XII for investment powers.

4. धर्मिष्ठान्व्यवहारांश्च स्थापयन्तश्च शास्त्रतः ।
   यथावत्प्रतिपश्यन्तो विवर्धन्ते गणोत्तमाः ॥ *Ibid.* 17.

as noted for their military traditions as for their commercial pre-eminence.[1]

It is not unlikely that the status and privileges of all the members of the Executive Council were not exactly alike.[2] The same is the case in some modern cabinets.

The different departments had their own officers of diverse grades, who must have worked under the orders of their ministers. In small states like those of the Śākyas and the Koliyas, they could directly report unusual incidents to the supreme authorities; in bigger states, they must have reported through the proper channels.

The big republics like those of the Yaudheyas and Kshudrakas had a number of cities which had full internal autonomy. How were their councils usually elected, we do not know. It is not unlikely that not only the privileged Kshatriya class but also trades, industries, and professions were represented on these bodies. This was the practice in the monarchical states[3] and there is no reason to think why it should not have been followed in the republics. Only future discoveries can show how the city councils were controlled by the central executive, and whether they had any representation in the Central Assembly.

The villages in the *gaṇa* states must have had their own Panchāyats and there is no reason to believe that their powers wers less than those of the Panchāyats under monarchies. It is hardly likely that the membership of the village Panchāyats was confined to the members of the privileged aristocracy; most of the latter must have been staying in cities and the capital. As in other states, all the village interests like agriculture, trade, industry, etc. must have been represented on the village council. This is of course a conjecture, but a very likely one.

Want of adequate reliable data handicaps the historian perhaps in no other sphere so much as in the case of the republics. We get only a dim and blurred picture of their constitutions and their working. But what little we know

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1. Cf. *Vārtāśāstropajīvinaḥ*, *Arthasāstra*, Bk. XI.
2. This often afforded opportunity to the enemy to foment internal quarrels. *Arthaśāstra*, Bk. XI.
3. Compare the evidence of the Damodarpur plates for the Gupta empire ; *E. I.* XV. pp. 129 ff.

shows that the states were fairly efficient and prosperous. They offered much more stubborn resistence to Alexander the Great than that put forth by the contemporary monarchies. Patriotism and appreciation of liberty were much more genuine among them than among the monarchical states. Trade and industry also prospered under their regime; the Punjab and Sindh republics were studded with numerous and prosperous cities. They encouraged freedom of thought, which in its turn resulted in philosophical progress. This is particularly noteworthy about the Eastern Republics, whose citizens have made rich contributions to the philosophy as developed in the Upanishads, Buddhism and Jainism. In the Indus valley also there were many philosophers who impressed the Greeks by their theories and views.

Most of the republics had a clan origin and the members of the privileged aristocracy believed themselves to be members of one stock or descended from one eponymous hero. Membership of the Central Assembly seems to have been confined to them. In the city councils and village assemblies, however, all the leading classes and interests had their proper representation and voice. There is no sufficient evidence to suggest that there was any serious clash of interest between the members of the privileged order and the rest. We should not here forget that inter-caste marriages were fairly common down to the 5th censury A. D., and so the Kshattriyas could not have formed a water-tight privileged order. Members of the Vaiśya and Śūdra classes, who entered into the army and rose to high positions in it, could hardly have been denied the privileges of the Kshattriya status A *sūtra* of Pāṇini suggests that the status of the Brāhmaṇas was the same as that of the Kshattriyas.[1]

The consciousness of a clan origin seems to have played a great part in the formation of republics. Where it did not exist, such a state did not usually come into existence. It further appears that the political horizon and influence of these states could not usually extend to territories where their own clan was not in ascendancy. It is no doubt true that these states often formed federations to present a stronger front to a common enemy, but they could not expand into a

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1. आयुधजीविसंघाञ् ञ्यञ्जवाहीकेषु अब्राह्मणराजन्यात् । Pāṇini, V. 3. 114.
Here Brāhmaṇas and the Kshatriyas are grouped together.

strong and big state like the Mauryan or the Gupta Empire. Their horizon was limited to their homelands. If its freedom was threatened, they would die fighting bravely; but it did not occur to them that they might found a big north-western federation embracing the Punjab, Rajputana and Sindh, which could stand as a bullwork against the foreign invader. The presence of the clan spirit in each state, the internal dissensions that often disfigured its politics and the love of freedom that characterised its inhabitants naturally did not favour the development of a strong central government, which must have necessitated the transfer of considerable power to its Central Executive.

Let us now examine the causes for the disappearance of these republics by *c.* 400 A. D. Dr. Jayaswal has attributed their eclipse and destruction to the imperialism of the Guptas. 'Samudragupta, like Alexander, killed the free spirit of the country. He destroyed the Mālavas and the Yaudheyas, who were the nursery of freedom and many others of their class.' This does not seem to be true. The republics of the Mālavas and the Arjunāyanas, the Yaudheyas and the Madras had only accepted in a general way the imperial position of Samudragupta. They offered him tribute, but retained their autonomy. Their territories were never directly administered by the Guptas, and •so their republican institutions could not have been much affected. It should be remembered that their independence had been completely eclipsed under the Mauryas and the Kushān is, but they once more emerged as republics when the above imperialisms declined. The Gupta imperialism had not interfered with their autonomy and it is, therefore, difficult to understand how it could have been fatal to their democratic institutions.

The Nandsa inscription shows that early in the 3rd century the leadership of the Mālavas had already begun to pass into hereditary families, which were claiming to be as respectable as the Ikshvāku race. The leaders of the Yaudheyas and the Sanakānikas had assumed the titles of Mahārājas and Mahāsenāpatis in the 4th century. The same probably was the case with the Lichchhavis republic, for Kumāradevī was an heiress to their dominion. Varahāmihira of the 7th century refers to the king of the Yaudheyas (*Bṛihatsaṁhitā*, X. 1). When the leadership of republics thus passed into the hands of

hereditary presidents, who were military leaders and claimed royal titles, they could no longer be distinguished from monarchies. Why the democratic traditions were allowed to be weakened, and why the republics permitted the new developments to take place is still an unsolved problem. The growing tendency to regard monarchy as divine may have induced the republics to accept the leadership of hereditary presidents, styled as Mahārājas. Probably it was felt that monarchy was a better protection against aggressions than republic.

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CHAPTER VII

CENTRAL ASSEMBLY

In the modern state, the Central Government consists of the Head of the Executive,—King or President—, his Council or Cabinet, and a Legislature or Central Assembly, largely if not entirely popular in composition, to control the executive and enact the laws of the state. The problems connected with the Chief Executive Head have been already discussed in the last two chapters. We shall now consider those connected with the Central Assembly. Did a Central Assembly, more or less similar to a modern democratic Parliament, exist in the different states of Ancient India ? Was it existing in all the periods of her history or was it confined to particular ages or to particular types of states ? How were the members of the Assembly elected ? Could they control the Executive ? If so, to what extent ? Were they the custodians of the legislative powers of the state or could the Executive pass laws independently of their sanction ? These are the questions that will be engaging our attention in this chapter.

We have shown already in the last chapter that Central Assemblies more or less similar to modern Parliament did exist in republics. The nature of the interests they represented and the control they exercised over the Executive have also been discussed. In this chapter we have now to see whether similar bodies existed in monarchical states.

A perusal of the Vedic literature makes it quite evident that Popular Assemblies controlling the kings of the numerous small states with which Afghanistan and the Punjab were then studded, were a prominent feature of the Vedic polity. The average state of the Rigvedic period consisted of only a few square miles like the city state of ancient Greece. It had a capital, not much larger than the few dozen villages comprised in it. Villages had their own popular assemblies known as *sabhās* and the capital had the Central Assembly for the whole state, which was called a *samiti*.

Sabhās and *samitis* enjoyed a high prestige in the Vedic age. They are in one place[1] described as the twin daughters of Prajā-

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1. सभा च मां समितिश्चावतां प्रजापतेर्दुहितरौ संविदाने । *A. V.* VII. 12. 1.

pati, the Creator. This suggests that the people regarded both the assemblies almost as divine institutions of hoary antiquity, and almost coeval with the political life of the community, if not with the community itself. The India of the Vedic age was studded with scores of such assemblies and the hope of the rising scholar and politician was to distinguish himself in their meetings.[1] Nay, the hope was also expressed on behalf of every bride at the time of her marriage that she would in due course be able to command the attention of the Assembly by her powers of speech and persuasion.[2]

The Vedic literature refers to the popular assemblies of the age by three different terms, *Vidatha, sabhā* and *samiti*. The precise meaning of these terms is difficult to determine and it seems not improbable that it may have differed from age to age and locality to locality. Modern scholars also have not been able to agree on the point. Ludwig, for instance, holds that the *sabhā* was something like the Upper House, where the priests and rich men were represented, while the *samiti* was something like the Lower House, where ordinary commoners had their proper place. Zimmer on the other hand thought that *sabhā* was the village assembly and *samiti* the Central Assembly of the whole tribe. Hillebrandt thought that *sabhā* and *samiti* were much the same; *samiti* being the assembly and *sabhā* its meeting place. Jayaswal's view was that *samiti* was probably the national assembly and *sabhā* was its standing body; he, however, candidly admits that the exact relation between these two bodies cannot be deduced from the available evidence.

It is not possible to discuss here the various arguments in favour of the above divergent views, nor is it necessary for our porpose to do so. *Vidatha* is derived from the root *vid* to know and seems to have denoted a learned gathering. It is rarely mentioned in connection with the political life and may, therefore, be left out here. The view of Hillebrandt that *sabhā* did not denote a different body, but only the place of meeting of the *samiti* is also unacceptable ; a passage in the *Atharvaveda* (VII. 12. 1), already quoted, clearly states that the *sabhā* and the *samiti* were two different bodies and compares them to *two* daughters of the Creator. Another passage states

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1. ये ग्रामा यदरण्यं याः सभा अधि भूम्याम् ।
   ये संग्रामाः समितयस्तेषु चारु वदाम्यहम् ॥ *A. V.*, XII. 1. 56
2. वशिनी त्वं विदथमावदासि । *R. V.*, X. 85. 26.

how *vrātya* was followed by the members of the *sabhā, samiti*
and the army.[1]

It is, therefore, clear that *sabhā* was not the meeting
place of the *samiti,* but was a separate body. An early Vedic
passage describes how the talk in the *sabhā* often veered round
the cows and the wonderful nourishment which they supplied
to humanity;[2] and another describes how the gamblers
assembled at the hall of the *sabhā,* challenged one another and
played to the last penny, often staking the freedom of them-
selves and their wives.[3] The connection of *sabhā* with gam-
bling is referred to also in the Brāhmaṇa literature.[4] It would
thus appear that the *sabhā* was primarily the village social
club, but the few items of the simple village government of the
age were also transacted there by its members, when it was
necessary to dispose of them. These probably included steps
for the communal safety and decisions in the matters of the
village disputes. For, the member of a *sabhā* is associated with
the sacred law in the Puiushamedha sacrifice.

It is, however, likely that in some localities or states, *sabhā*
was associated with the king and was more a political than a
social gathering. A passage in the *Atharvaveda* describes how
the *sabhāsadas* (members of the *sabhā*) of god Yama were
royal in status and entitled to share the 16th part of the merit
accruing to that deity.[5] It is possible to argue that the status
of the members of the terrestial *sabhā,* like that of the celestial
one, was also almost as high as that of the king and that they
too were entitled to receive a small share of the tithes and
tributes that were paid to the ruler. It is, however, not im-
possible that the *sabhā* referred to may be the cabinet or
ministry of Yama or of the earthly king ; and the description
of a member of the *sabhā* as a person possessing considerable
wealth (consisting of kine, of course) and going to the *sabhā* in
his full paraphernalia, riding on a charger or seated in a
carriage, would confirm that hypothesis.[6] The balance of

1. तं च सभा च समितिश्चानुव्यचलन् । *A. V.* XV. 9.
2. यूयं गावो मेदयथा कृशं चिदश्रीरं चित्कृणुथा: सप्रतीकम् ।
   भद्रं गृहं कृणुथा भद्रवाचो बृहद्वो वय उच्यते सभासु ॥ *R. V.,* VII. 28. 6.
3. सभामिति कितव: पृच्छमान: जेष्यामीति तन्वा शोशुजान: ।
                                         Ibid, X. 34. 6.
4. *T. Br.,* I. 1. 10. 6 ; *S. Br.,* V. 3. 1. 10.
5. यद्राजानो विभजन्त इष्टापूर्तस्य षोडशं यमस्यामी सभाद: ॥
                                         A. V., III. 29. 1.
6. अश्वी रथी सुरूप इद्गोमाँ इदिन्द्र ते सखा । *R. V.,* VIII. 4. 9,

available evidence, however, tends to show that the *sabhā* was usually the village assembly, meeting for social as well as political purposes.

In the concluding hymn of the Ṛigveda, *samiti* no doubt seems to be referring to a social or learned gathering;[1] but an earlier hymn of the same book refers to the plans of an aspirant for political power, which include the domination of the *samiti*.[2] The *Ṛigveda* refers to a 'true' king paying visit to his *samiti* and the most important and significant hope expressed in the *Atharvaveda* on behalf of an exiled king, who has succeeded in his restoration, is that his *samiti* may for ever be in agreement with him.[3] Conversely the bitterest curse pronounced upon a king guilty of misappropriating a Brāhmaṇa's property is that his *samiti* should never be in agreement with him.[4]

The above passages make it clear that while *samiti* sometimes denoted a social gathering, usually it referred to a political assembly at the central government. It was a powerful body, for very often the fate of a king depended upon his ability to carry his *samiti* along with him. If the *samiti* assumed an obstructive attitude, the life of the king became miserable ; the partisans of a restored king felt that their work was likely to be enduring only if his *samiti* was prepared to cooperate with him. It is quite clear that the *samiti* exercised considerable control over the military and executive affairs of the Central Government ; but how exactly it was exercised and how the *samiti's* powers were coordinated with that of the king we do not know.

We are also completely in the dark as to the constitution of this important body. The modern reader may well ask, was the *samiti* an official or a popular body ? If the latter, was it elective ? If so, who enjoyed the privilege of electing its members, the whole population or a select class ? How long did the members, once elected, function in the *samiti*, for a certain number of years or for life ? We have at present

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1. संगच्छध्वं संवदध्वं सं वो मनांसि जानताम् ।
   समानं मंत्र: समिति: समानी समानं मन: सह चित्तमेषाम् ॥
                                          X. 191, 2-3.
2. आ वश्चित्तं आ वो व्रतं आ वोऽहं समिति ददे ॥ X. 166. 4.
3. ध्रुवाय ते समिति: कल्पतामिह । *A. V.* VI, 88. 3.
4. नास्मै: समिति: कल्पते न मित्रं वयते वशम् । *A. V.*, V. 19. 15.

no data to answer these and similar questions in an authori-
tative manner. Since, however, the Central Assemblies of the
republican states were aristocratic bodies, it may be permis-
sible to suggest that the same was probably the case with the
samitis functioning under the monarchies. The Vedic state
was a small one like the city state of ancient Greece; and
the *samitis* probably consisted of the heads of the few military
and aristocratic families which occupied a prominent position
in the political and social life of the community. Priests in
these days played an important part even on the battlefield
and, therefore, it is not unlikely that they also may have been
represented in the *samiti* at least by the king's chaplain, if not
by others as well.

Members of the *samiti* were men of substance and exercised
considerable influence over the administration. Their status
must have been high in society; they must have, like the
members of the *sabhā*, gone to the meetings in their full
grandeur riding their horses or carriages.

Debates and discussions naturally loomed large in the
proceedings of the Assemblies. The ambition of a new
careerist was to shine as a debator in these bodies.[1]   One
could succeed in the *samiti* only if one could capture the mind
and sway the feelings of its members. When there were
parties in the *samiti*, the proceedings became enlivened and
often bitter. Hot words were exchanged, often leading to
violent party quarrels. One can well understand the sincerity
of the prayer offered in the *Rigveda* that the deliberations of
a *samiti* should be cordial, its members well disposed towards
one another, and their minds in perfect harmony.[2]

It is rather sad and surprising to find that the *samiti*
which exercised so much influence over the king and adminis-
tration in the days of the *Rigveda* and the *Atharvaveda*, should
completely disappear from view in the period of the later
Samhitās and the Brāhmaṇas. *Sabhā*, however, figures in this
literature, but in a new sense. It is no longer a popular
village assembly but comes to stand for the king's court or
Privy Council, a sense in which the word was destined to be
used for several centuries. The *sabhā* met frequently and
had its own president;[3] the status of its members was as

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1.   ये संग्रामाः समितयस्तेषु चारु वदान्यहम् । *A. V.*, XII. 1. 56.
2.   *Ante*, p. 98 Note 1.
3.   *V. S.*, XVI. 24.

high as that of the high priest or chamberlain.[1] Dependent kings are often mentioned as attending the *sabhā*,[2] making it quite clear that it was being transformed from a popular body into king's court. The historian of the Central Assembly need no longer follow its history. The *samiti* once more makes its appearance in the Upanishadic age ; we find Śvetaketu visiting the *samiti* of the Pāñchālas after his educational course. The king is present in this assembly on the occasion and puts him some questions to test his scholarship. The passage thus shows that *samiti* in the Upanishadic period denoted a learned body rather than a popular assembly; it was sometimes presided over by the king, especially when it was going to test the knowledge of new graduates. The king was perhaps only the ceremonial head of the gathering as the Governors are of the modern convocations. There can be no doubt that *samitis* and *sabhās* both ceased to function as political bodies much earlier than the days of the Dharmasūtras (*c.* 500 B. C.); for the latter never mention them while describing the duties of the king or the machinery of the administration. The term *samiti* is altogether unknown to them; the word *sabhāsada* is used, but it denotes a member either of the Privy Council or of a judicial assembly, but never of a Popular Assembly.

Central Popular Assemblies, however, continued to function in the republican states, as shown already in Chap. VI. Why they disappeared from the monarchical states it is difficult to state. Republics as a rule, continued to be small states even in later times; monarchies, on the other hand, developed into big states in the Brāhmaṇa period (*c.* 1500-1000 B. C.) Emergence of extensive states with large rural areas and dispersed population rendered the meeting and functioning of a central popular assembly difficult. Representative system was unknown, and so an assembly could meet only when it was a small body with members living not far from the capital. This was no longer possible in a large state. While members found it difficult to meet and work in the new circumstances, the kings of the ever-growing kingdoms were always eager and anxious to grab all power in their own hands. It was but natural that under such circumstances *sabhās* and *samitis* should have gradually died down.

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1. *A. Br.*, VIII. 21.
2. *S. Br.*, III. 3. 4. 14.

The Paurya-Janapada Theory

K. P. Jayaswal has, however, argued at great length[1] that the *sabhā-samitis* of the Vedic age did not disappear without leaving their successors in the body politic of the later period.   They were known as Paura-Jānapadas and figure frequently in literature and sometimes in inscriptions. The true significance of this expression was, however, altogether missed by modern writers.   While it is true that Paura-Jānapadas often denote the inhabitants of towns and the villages that comprised a kingdom, it should be remembered that the expression, when especially used in the neuter singular as Paura-Jānapadam, denotes a constitutional body consisting of the representatives of the capital and the country. Such a body is known to the *Rāmāyaṇa* and functioned under the administration of king Khārvela of Orissa in the 2nd century B. C.   It is presupposed by the laws of *jānapadas* referred to by Manu and other Smṛiti-writers, who also refer to their presidents.   The prestige of this popular body was so great that the state would often refuse to grant any relief to a person who was working against its interest.[2]

The above theory of the Paura-Jānapada body has been put forth brilliantly, but a careful analysis of the evidence advanced by Jayaswal and an impartial consideration of other data available on the point, make it fairly clear that there were no popular twin-assemblies known as Paura-Jānapadas in ancient India.   It is worth noting that Paura Jānapaḍa is generally used in the plural, sometimes in the singular, but never in the dual.   If Paura and Jānapada really constituted two houses of Parliament, one fails to understand why the dual number should never have been used in referring to them.   The grammatical argument relied upon to show that the term Paura-Jānapada should really have been in the singular in the *Rāmāyaṇa* II. 14. 54 and would then denote a representative body of the citizens is weak and untenable.[3]

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1. *Hindu Polity*, Part II, Chaps. XXVII-XXVIII. (Ist. Ed.)
2. *Hindu Polity*, Part II, pp. 66 ff.
3. The verse in question is उपतिष्ठति रामस्य समग्रमभिषेचनम् । पौरजानपदश्चापि नैगमश्च कृताञ्जलिः ॥ Jayaswal's argument is that because the verb उपतिष्ठति is in the singular, therefore each of the subjects joind by the particle *cha* should also be in the singular; hence it follows that the first word in the next line should be read as *jānapadah* and not *jānapadāh;* it would then denote the Jānapada Assembly and not merely citizens.   Grammar, however, lays down no such rule; on the contrary it states that even if each of the words joined by the particle *cha* is in the singular, the verb will be in the combined number, dual or plural.

The epic generally uses the term *paura-jānapadāḥ* in the plural and it denotes the citizens in general and not any constitutional or representative body of theirs.   Thus the *Rāmāyaṇa* II. 14. 40 refers to the notables among the *paura-jānapadas*,[1] and the *paura-jānapada* people to whom Bharata refers in II. 111. 19 are obviously the ordinary citizens who accompanied Bharata to see whether Rāma could be persuaded to return to Ayodhyā.[2]   Even if we assume that *paura-jānapadas* here denote a constitutional body of citizens, it is clear that it wielded no effective powers; it could neither veto Daśaratha's plan to banish Rāma nor induce the latter to return home as desired by them.   It is significant to note that when making the final appeal to Rāma to return to Ayodhyā, Bharata refers to the prayer of himself and his ministers and not to that of any Paura-jānapada body.[3]   Rāma also, bidding adieu to his brother, urges him to carry on the administration in consultation with friends, officers and ministers; here again the Paura-jānapadas are conspicuous by their absence.[4]   This omission is difficult to explain if we assume that the Pura-jānapadas constituted a regular constitutional popular assembly, wielding considerable power over the administration.

The Hathigumpha inscription of Khāravela also does not refer to any Central Popular Assembly.   Line 7 of the record states that the king conferred many favours (*anugraha*) amounting to or numbering hundreds of thousands on the Paura and Jānapada.[5]   Jayaswal contends that *anugrahas* here are constitutional privileges conferred upon the City-Corporation and the Realm-Corporation.[6]   Constitutional privileges conferred upon a legislature by the king can never be described as amounting to hundreds and thousands.   It is clear that the sentence rather refers to numerous favours conferred upon the city and country

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1. पौरजानपदश्रेष्ठा नैगमाश्च गणे: सह ।
   अभिषेकाय रामस्य तिष्ठंति ब्राह्मणै: सह ॥ II. 14. 40.

2. आसीनस्त्वेव भरत: पौरजानपदं जनम् ।
   उवाच सर्वंत: प्रेष्य किमार्यमनुशासथ ॥ II. 111. 19.

3. एभिश्च सचिवैं: सार्धं शिरसा याचितो मया ।
   भ्रातु: शिष्यस्य दासस्य प्रसादं कर्तुमर्हंसि ॥ II. 104. 16.

4. अमात्यैश्च सुहृद्धिरश्च बुद्धिमद्धिरश्च मंत्रिभि: ।
   सर्वकार्याणि संमंत्र्य सुमहान्त्यपि कारय ॥ II. 112. 17.

5. अनुग्रहानेकानि सतसहसानि विसजति पोरं जानपदम् । *E. I.* XX. 79.

6. *Hindu Polity*, II. p. 64.

popalation, the monetary value of which amounted to hun-
dreds and thousands of rupees or contemporary coins. If a
king orders several wells, roads, hospitals, and rest-houses to
be constructed out of the central revenues, or abolishes a
number of taxes payable by the villagers and citizens to the
exchequer, he can well be described as conferring several
favours, amounting in value to hundreds of thousands. An
analysis of the Hathigumpha inscription further makes it quite
clear that Khāravela's administration and policy were not in the
least controlled by any City or Realm Corporation. The record
refers to his organising several military expeditions to the
distant parts of India, and not in a single case is it stated
that the City and Realm Corporations were consulted by the
king on any occasion. The king could declare war and make
peace without the consent of the *Paura-Jānapadas*, supposing
such a body did exist.

Nor do the *Jānapada-dharmas* referred to by the Smṛitis
prove the existence of a Jānapada as a central law-making
popular parliament. The *jānapadadharmas* referred to by
Manu in VIII. 14 are the customs of the country and not the
enactments of a country's legislature. A comparison of this
verse with Manu I. 118[1] would show that *janapadadharma* is
identical with *deśadharma*. Kātyāyana defines the latter as
those customs of a country which are generally accepted and
which do not go counter to the rules of Śruti and Smṛiti.[2] It
is such provincial customs that are referred to as *deśadharma*
in the *Arthaśāstra* of Kauṭilya also.[3] The laws of inheritance,
marriage, food and professions differed in different parts oi

Both verses refer to the sources of Dharma and the comparison shows
that *janapadādharma* of VIII. 41 is equal to *deśadharma* of I. 118.

Cf. जातिजानपदान्धर्मान्श्रेणीधर्मांश्च धर्मवित् ।

समीक्ष्य कुलधर्मांश्च स्वधर्मं प्रतिपालयेत् ॥ VIII. 41.

देशधर्मान्जातिधर्मान्श्रेणीधर्मांश्च शाश्वतान् ।

पाषण्डगणधर्मांश्च शास्त्रेऽस्मिन्नुक्तवान्मनुः ॥ I. 118.

See also the following passages throwing light on the point :—

देशजातिकुलधर्मा आम्नायैरविरुद्धाः प्रमाणम् । *Gautama D. S.,* XI. 20.

पंचधा विप्रतिपत्ति: दक्षिणतस्तथोत्तरत: । तत्र तत्र देशप्रामाण्यमेव स्यात् ।

B. D. S., I. 1. 17-22.

यस्य देशस्य यो धर्मः प्रवृत्तः सार्वलौकिकः ।

श्रुतिस्मृत्यनुरोधेन देशदृष्टः स उच्यते ॥ quoted in *VMS.,* p. 13.

देशस्य जात्या संघस्य धर्मो ग्रामस्य वापि यः ।

उचितस्तस्य तेनैव दायधर्मं प्रकल्पयेत् ॥ Bk. III. chap 7.

the country; widows were heirs in some places but not in others; marriage with maternal uncle's daughter was approved in the south, but not in the north; wine drinking was tolerated in the north but condemned in the south. While deciding cases in the court, Manu and other Smriti-writers point out that *deśādharmas* or *janapadadharmas i.e.* the costoms of the province concerned should be taken into consideration by the court. They were, however, mere customs and not any laws passed by a legislature like a Janapada body.

Nor can be accept the contention of Jayaswal that the breakers of the *samayas* of *grāma* and *deśa*, referred to by Manu, were the persons who violated the laws or resolutions of the corporate assemblies of the villages or the country. Manu VIII. 19, quoted below, expressly shows that *samayas* or *saṁvids* do not refer to resolutions or laws, but to agreements arrived at in good faith with the village or country authorities.[1] If out of pure selfishness, a person resiles from such agreements, Manu says that he should be fined. The *Arthaśāstra*, Book III chap. 10, which deals with the violations of the *samayas* or agreement made with the village, country, caste, or family, makes the point still clearer, for the agreements are actually illustrated by Kauṭilya. If a farm labourer does not carry out the work undertaken for the village, or if a person refuses to pay subscription for a show and still sees it stealthily, if a villager declines to carry out the instructions of a leader who is acting on behalf of the village and in its interest, there is a violation of *grāma-samayas i. e.* agreements, explicit or implicit, made with a village, and the person guilty becomes liable for punishment. The *Arthaśāstra* adds at the end that the violation of *deśasamayas* is also to be similarly understood.[2]

1. अत ऊर्ध्वं प्रवक्ष्यामि धर्मं समयभेदिनाम् ।
   यो ग्रामदेशसंघानां कृत्वा सत्येन संविदम् ।
   विसंवदेन्नरो लोभात्तं राष्ट्राद्द्विप्रवासयेत् ॥
   निगृह्य दापयेच्चैनं समयव्यभिचारिणम् ।
   चतुःसुवर्णान् षण् निष्कान् शतमानं च राजतम् ॥ *Manu.,* VIII. 18. 20.

2. कर्षकस्य ग्राममभ्युपेत्याकुर्वतो ग्राम एवात्ययं हरेत् ।
   प्रेक्षायमनंशदः सस्वजनो न प्रेक्षेत ।
   प्रच्छन्नश्रवणेक्षणे च सर्वहिते च कर्मणि निग्रहेण द्विगुणमंशं दद्यात् ।
   सर्वहितमेकस्य ब्रुवतः कुर्युराज्ञाम् । अकरणे द्वादशपणो दंडः ।....
   तेन देशजातिकुलसंघानां समयस्थानपाकर्म व्याख्यातम् ॥
                                         Book. III. Chap. 10.

It is thus clear that the violations of *deśasamayas* were not non-compliance with the resolutions of a Central Parliament, but non-fulfilment of agreement made with the chief executive of the province or the country, who was called *Deśādhyaksha*. *Deśādhyaksha* or *Deśādhipa* did not denote the President of the Parliament of the country, as Jayaswal contends (p. 67); the passages from the *Vishṇu-smṛiti* and *Śukra-nīti* quoted below make it quite clear that they denoted the executive heads of districts.[1]

There is nothing whatsoever in the Smṛiti literature to show, as contended by Jayaswal (p. 68) that a suitor who was hostile to Paura or the City Assembly could get no relief in a law-court. The passage quoted in the footnote below, upon which Jayaswal relied, simply states that if the claim in a suit ran counter to a custom or convention regarded as universally valid in a town or a country, it cannot be decreed by the local courts.[2] The passage enunciates a sound legal principle, but has no reference to the denial of any relief to a person who was hostile to the City-Assembly.

The theory that an ex-member of the Paura-Assembly, though belonging to the Śūdra caste, was entitled to respect even from a Brāhmaṇa, is based upon a misunderstanding of the original texts, which simply refer to the courtesy to be shown to one another by the different citizens of the same city. Gautama says that one must get up as a mark of respect when one meets a priest or maternal uncle, though junior in age. The same courtesy is to be shown to an aged Śūdra citizen above 80 by a junior person.[3] Paura denotes the resident of a city and not the member of any City-Assembly.[4]

1. तत्र स्वस्वग्रामाधिपान् कुर्यात्। दशाध्यक्षान्। शताध्यक्षान् देशाध्यक्षांश्च।
   Vishnu, III. 7-10.
   चतुर्दिक्षथवा सदा देशाधिपान् कुर्यात् नृपः। *Sukra*, I. 347.
2. The passage in the *Vīramitrodaya* is as follows :—
   यत्र नगरे राष्ट्रे च व्यवस्था पुरातनी तद्विरोधापादको'व्यवहारो नादेयः
   पौरजानपदक्षोभापादकत्वात्।
   Aparārka, while commenting upon *Yāj*. II. 6 expressly explains
   पौरराष्ट्रविरुद्धः as पौरराष्ट्राचारविरुद्धः।
3. ऋत्विक्श्वशुरपितृव्यमातुलानां तु यवीयसां प्रत्युत्थानमभिवादनाद्याः।
   तथान्यः पूर्वः पौरः अशीतिकावरः शद्रोऽप्यपत्यसमेन। *G. D. S.*, VI. 9-10
4. Cf. *V. M. S.*, p 466. while explaining Manu. II. 134.
   दशान्दाख्यं पौरसंख्यं पंचाब्दाख्यं कलाभृताम्।
   expressly says एकपुरवासिनां अधिकतरविद्यादिगुणरहितानां दशाब्दपर्यंतं
   ज्येष्ठे सत्यपि सर्वेत्रयवमभिख्यायते न तु अभिवाच्यः। पुरग्रहणं प्रदर्शनार्थं
   तेन एकग्रामवासैपि एवं भवति।

Let us now examine Jayaswal's views about the consti-
tutional powers of the so-called Paura-Jānapada Assembly.
His contention that it had the power to nominate the heir-
apparent is based upon the casual reference to the citizens in
the *Rāmāyaṇa* in connection with Rāma's selection as heir-
apparent. But the epic expressly states that the selection
was made by the king in consultation only with his ministers.[1]
The view that Pauras were consulted is based upon the wrong
translation of the word *āmantra*, which means 'to bid farewell'
and not 'to offer advice'. The verse in question, quoted
below,[2] states that the citizens went home after bidding fare-
well to the king, not after offering him advice. Any body
acquainted with the *Rāmāyaṇa* episode knows full well that it
was the palace intrigue, and not the wishes of the citizens,
which determined the fate of Rāma.

The view that the Paura-Jānapadas could depose the
king is also based upon a queer misunderstanding of the 10th
Act of the *Mṛichchhakaṭika*. The wicked king Pālaka is killed
by Śarvalika, who offers the crown to Āryaka, a friend of his.
Paura-Jānapadas have nothing to do with the transaction.
Śarvalika carries the news of this revolution not to the
Corporate Association of the Jānapadas but to the *concourse of the
people*, who had assembled to witness the public execution or
Chārudatta. For a time he wonders where exactly he can
find Chārudatta. After thinking a while, he concludes that
he should be at a certain place, because there was a concourse
of people there, which he presumes must have assembled to
witness the execution.[3] The *Mṛichchhakaṭika* does not at all
refer to any Realm or Citizen Assembly in any of its Acts.

Another important function of the Paura-Jānapada
Assembly, according to Jayaswal, was to sanction extra-taxes
at the time of a state crisis. He quotes a passage from the
Mahābhārata, which he contends is an address from the throne
begging extra taxes from the Paura-Jānapada Assembly. The
last verse of the passege, however, states, "A king, who knows
how to act properly, should send his *messengers* among the
people with a sweet, attractive but cunning message of

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1. निश्चित्य सचिवैः सार्धं युवराजममन्यत । II. 1. 41
2. ते चापि पौरा नृपतेवंचस्तच्छ्रुत्वा तदा लाभमिवेष्टमाशु ।
   नरेन्द्रमामन्त्र्य गृहाणि गत्वा देवान्समानर्चुरतिप्रहृष्टाः । II. 3. 48
3. भवत् अत्र तेन भवितव्यं यत्रायं जनपदसमवायः । Act X (after v. 47)

the above type".[1]   The passage is not at all a speech from the throne, but contains the argument with which king's messengers were to try to convince the people in general of the dire necessity which was compelling the state to demand extra taxation.

The view that the Paura-Jānapada Assembly had the power to present bills to the king for the losses sustained in the kingdom by theft and dacoities is also incorrect.[2]   In ancient Indian polity, the state was held responsible for such losses if the stolen property could not be recovered, and *Yājñavalkya* calls upon the authorities to recompensate the aggrieved citizen (*jānapada*).[3]   That Jānapada here does not refer to the Realm Assembly would become quite clear if we compare the verse in Yājñavalkya to the corresponding verse in Manu, where it is expressly stated that the compensation was to be given to members of all the castes.[4] . It is thus clear that *Jānapada* in Manu denotes the citizen in general, irrespective of his caste, and not to any Jānapada-Assembly.

It will be shown in chap. X how the towns and cities had their own non-official councils exercising considerable powers. But Jayaswal is wrong when he suggests that capitals as such had their own Paura-Assemblies, which were distinct from those of the Realm-Assemblies (Jānapada bodies). As far as the latter are concerned, there is no evidence whatsoever to show that they existed and functioned in the post-Buddhist period.   All the evidence of Jayaswal about their existence· is literary in nature and we have shown above how it does not at all prove the existence of a twin organisation, the Paura-Jānapada Assembly, which could depose the king, nominate his successor, give or withhold sanction for new taxes and demand and obtain industrial, commercial and financial privileges for the country (*Hindu Polity*, II. p. 108).   It is contended that this organisation flourished from 600 B. C. to 600 A. D., but it is very strange indeed that it should be referred to nowhere in the contemporary inscriptions.   We can get a fairly detailed picture of the Mauryan administration from the account of Megasthenes and the inscriptions of Aśoka, but

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1. इति वाचा मधुरया इलक्षणया सोपचारया ।
   स्वरश्मीनभ्यवसृजंद्योगमाधाय कालवित् ॥ *Mbh.*, XII. 87. 34
2. *Hindu Polity*, II. 98.
3. देयं चौरहृतं राज्ञा द्रव्यं जानपदाय तु । II. 36
4. दातव्यं सर्ववर्णेभ्यो राज्ञा चौरैर्हृतंघनम् । VIII. 40

neither source refers to any Central Parliament like the
Paura-Jānapada Assembly of Jayaswal.[1] Nor is such a body
known to the *Arthaśāstra* of Kauṭilya.[2] It is strange that it
should not have been included among the *sapta-aṅgas* of the
state by a single work on polity. Gupta inscriptions and
seals refer to scores of officers, but the Paura-Jānapada body
is conspicuous by its absence. Jānapada seals have been
discovered in large numbers at Nālandā, but they are the
seals of the Panchāyats of the respective villages whose names
they bear, and not of any Central Popular Assembly.[3] We
have discovered hundreds of copper plate grants belonging
to the different dynasties ruling in northern and southern
India from *c.* 500 to 1300 A. D. While assuring a peaceful
possession of the villages granted in them, kings refer to all
possible officers and authorities from the crown-prince
to the village headman, who were likely to disturb the peace-
ful possession of the donees and charge them to refrain from
doing so. But the Paura-Jānapada Assembly of Jayaswal
does not figure *even in one single record.* If such an assem-
bly existed during all these centuries, and had effective

The *Pauras* of Takshaśilā, referred to in the *Divyāvadāna*, pp. 407-8,
are the citizens of the city and not the members of its Assembly.
The work describes them as decorating the roads and beautifying
the houses of the city ; this is what ordinary citizens do at the
visit of a prince, and not the members of their Representative
Assembly, Cf. श्रृत्वा च तक्षशिलापौरा अर्घत्रिकानि योजनानि मार्ग-
शोभां नगरशोभां च कृत्वा पूर्णकुम्भं: प्रत्युद्गता: ।
Jayaswal's view (Part II. p. 84) that the *Arthaśāstra* refers to the
Sectional Sub-assemblies of the Paura in charge of the sacred
places and public buildings and of trades and manufacturers, is
also untenable. What the *Arthaśāstra* states is this : the spies
should visit the concourse of people (*janasamavāya*) at *tirthas* or holy
places, public halls (*sabhā-śālās*) and markets (*pūgas*) and cunningly
start a discussion there with a view to ascertain the views of the
people in general about the king and the administration. Could it
ever have been possible for spies to start discussions in the Sub-
committees of the City-Assemby, of which they could hardly have
been members ? The state also could have learnt of their views
from their general debates ; there was no necessity of spies being
sent to induce them to start discussions. The original passage of
the *Arthaśāstra* is given below :

सत्रिणो द्वन्द्विनस्तीर्थसभाशालासमवायेषु विवादं कुर्यु: सर्वगुणसंपन्नश्चायं
राजा श्रूयते । न चास्य कश्चिद् गुणो दृश्यते व: पौरजानपदान् दण्डक-
राभ्यां पीडयति । Bk I. Chap. 13

Cf. पुरिकाग्रामजानपदस्य; वारकीयग्रामजानपदस्य; श्रीनालदाप्रति-
बद्धमंनयिकाग्रामजानपदस्य M. A. S. I. No. 66. pp. 45-6.

control over taxation and expenditure, as contended by Jayaswal, is it not reasonable to expect that the kings who made the land grants should have formally stated in the preambles of their charters that they had secured the necessary sanction of the Paura-Jānapada Assembly ? If all the officers of the realm were charged not to interfere with the future enjoyment of the revenues granted, should not this request have been made to the Paura-Jānapada Assembly also, since it controlled the finances of the state ? The fact that the Paura-Jānapada Assembly figures not even in one out of the thousands of copper plate grants, where all possible authorities who could have disturbed the possession of the donees are exhaustively mentioned with a meticulous care, is in our opinion the most convincing proof that no such Assemblies existed during the first millennium of the Christian era. The *Rājataraṅgiṇī*, which gives a detailed picture of the life and administration of Kashmir, is also unaware of the existence of any Popular Assembly in that province. It may further be noted that not a single inscription or work on polity refers to or describes rules of election to the Paura-Jānapada assemblies.

As will be shown in Chaps. X and XI, village Panchāyats, and town and city councils flourished down to the end of the 18th century and possessed considerable administrative powers. But there is no evidence whatsoever to show that a Central Assembly flourished in the post-Buddhist period in monarchical states and exercised powers attributed to it by Jayaswal. The reasons for the disappearance of this body are already explained before (pp. 99-100). Popular will sought to influence the administration through other devices, which are indicated already in Chap. V.

State and the Legislative Power

It will be convenient to discuss the legislative powers of the state in ancient India in the present chapter. In modern times, the Central Assembly of the State usually wields these powers ; let us see whether such was the case in ancient India, when *sabhās* and *samitis* were flourishing in the country.

The modern reader will be surprised to learn that neither the king nor the *samitis* claimed and exercized legislative powers in the Vedic period. In the modern age, laws as enactments of the sovereign legislature are becoming all powerful, gradually displacing the customary, the traditional

and the case law. Such, however, was not the case in the ancient times. Laws were either sacred or secular; if the former, they were based upon the sacred texts, if the latter, upon the customs and traditions. Neither the king nor the *samiti* nor the Central Assembly, it was felt, had any jurisdiction in the matter. If the state had ever proceeded to bring about a forcible change in the customary law, it would have been overthrown in a very short time. Traditional law was as sacred as the divine law. Of course it also did change in the course of time; but the change was gradually and imperceptibly brought about by the silent operation of custom, and not by the noisy process of legislation. A deliberate change in the customary law at the dictation of a legislature, it was apprehended, would spell disaster for the community.

Neither the king nor the *samiti*, therefore, claimed or exercised any legislative functions in the Vedic period; and the same continued to be the case down to the age of the Smṛitis. This need not surprise us. For in the West also early philosophers like Plato did not regard legislation as a function of the ideal government. It was held that no actual man or group of men could ever possess so much of the spirit of true political science as is embodied in written laws and national customs of the people, which therefore must be obeyed unquestionably.[1]

The Dharmśāstra literature is particularly emphatic in 'pointing out that it is the king's duty to enforce the *dharma*, as determined by the sacred texts and accepted customs[2] and not to enunciate it on the authority of himself or any state organisation. The Dharmaśāstra as well as the Nitiśāstra are promulgated by the Creator; it is the king's duty to enforce the rules laid down in them, and not to introduce any changes on his own authority.[3]

In the course of time, however, as the administration became more and more developed and life more and more

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1. Dunning, *Political Theories*, I. pp. 35-6.

2. देशजातिकुलधर्मान्सर्वान्नेवेतानननुप्रविश्य   राजा   चतुरो   वर्णान्स्वधर्मे
प्रतिष्ठापयेत् । *V. D. S.*, XIX. '4.
जातिजानपदान्धर्मान् श्रेणीधर्मांश्च धर्मवित् ।
समीक्ष्य कुलवर्मांश्च स्वधर्म प्रतिपादयेत् ॥ *Manu,* VIII. 41.

3. यश्चापि धर्म इत्युक्तो दंडनीतिव्यपाश्रयः ।
तमषांकः करिष्यामि स्ववशो न कदाचन ॥ *Mbh.* XII. 59. 116.

complex, it began to be felt that the state should have powers to make its own rules and regulations. The rules in the old Dharmaśāstra and Nītiśāstra works, it was realised, had not provided for all possible contingencies, and changes were necessary both in the interest of the state and the subjects. The *Manusmṛti* invests the king with the power to pass administrative orders which were to be obeyed by the subjects.[1] These orders were, however, to be in consonance with the Śāstra and tradition.[2]   Yājñavalkya also maintains that king's orders were to be enforced by the law courts.[3] *Śukra-nīti* (I. 292-311) shows that these orders mostly related to well-established laws and customs and exhorted the subjects to respect the elders, to cultivate concord in family, not to cause interference in boundaries, not to use false weights or make false accusations, not to commit misapropriation of property, not to give asylum to thieves, not to fabricate false evidence or documents, etc.   Sometimes they referred to the proper discharge of duty by government servants and often warned the subject against talking about the king's vices or divulging his line of policy.

Aśoka's edicts also contain not merely moral exhortations but create new offences like the killing of animals and holding of convival gatherings.   They promise a respite of three days to persons condemned to death and exhort his successors not to follow policy of aggression.

The works on polity, however, declare that the orders of the state were to be regarded as most authorit..ive, more binding than even the rules of the Dharmaśāstra.[4] The same is the view of Bṛihaspati (II. 27). Nārada declares that a person, who does not obey the rules enjoined by the king, should be immediately punished for the offence of showing

1. तस्माद्धर्मं यमिष्टेषु स व्यवस्येन्नराधिपः ।
    अनिष्टं चाप्यनिष्टेषु तं धर्मं न विचालयेत् ॥ VII. 13.

2. Medhātithi on the above :
    यतः सर्वतेजोमयः स राजा तस्माद्धेतोरिष्टेषु वल्लभेषु मंत्रिपुरोहितादिषु
    कार्यंगत्याय धर्मं कार्यंव्यवस्था शास्त्राचारारिवरुद्धां व्यवस्येत्तं न विचालयेत् ।

3. निजधर्माविरोधेन यस्तु सामयिको भवेत् ।
    सोपि यत्नेन संरक्ष्यो धर्मो राजकृतश्च यः ॥ II. 186.

4. धर्मश्च व्यवहारश्च चरित्रं राजशासनम् ।
    विवादार्थश्चतुष्पादः पश्चिमः पूर्वबाधकः ॥ Book III. Chap I.

contempt to the royal decrees.[1] Śukra states that the king
should publish his ordinances at important places by pasting
them on the wall for the information of the public.[2]

It is thus clear that though the state was usually expected
to enforce the customs and laws enunciated in Dharmaśāstra,
it began to be invested with some powers to make its own rules
and regulations from about the 3rd century B. C. At the
time when these powers were granted, *samitis* or Popular
Assemblies had already disappeared from the scene, and so
they came to be exercised by the king in consultation with
his ministers.

The power of issuing *rājaśāsana* or royal decrees was,
however, not as extensive as the modern power of legislation.
Personal, civil and criminal laws were usually determined by
custom and the Smriti rules and were hardly affected appre-
ciably by the royal power to issue ordinances. But in the
realm of administration and taxation, kings could introduce
several changes and reforms by the new powers conceded to
them. They could create new offices and departments,
enunciate (like Aśoka) their own policies and tap fresh sources
of taxation. This resulted in the considerable enlargement
of the royal powers and the curtailment of the rights of the
people, since they were not effectively represented at the
Central Government by a Popular Assembly, when kings came
to be invested with these new powers.

1. राज्ञा प्रवर्तितान्धर्मान्यो नरो नानुपालयेत् ।
   दण्डयः स पाप्मो वध्यश्च लोपयन्राजशासनम् ॥ I. 13.
2. लिखित्वा शासनं राजा वारयीत चतुष्पथे ।
   इति प्रबोधयन्नित्यं प्रजाः शासनडिंडिमैः ॥ I. 313

CHAPTER VIII

MINISTRY

In modern times, the machinery of the Central Government consists of the King or the President, the Central Legislature, Ministers usually selected from the latter, heads of the departments, and the central secretariat. We have already discussed the position and functions of the King, the Executive of the Republican States and the Central Assembly. We shall now proceed to consider the ministry, the departmental heads and the secretariat; this will complete the survey of the central government.

Ministry

Ministry or a Council of Advisers has been regarded by ancient Indian political thinkers as a very vital organ of the body politic. The *Mahābhārata* observes in one place that the king is as vitally dependent upon ministers as animals are upon clouds, Brāhmaṇas on the Vedas and women upon their husbands (V. 37. 38). The *Arthaśāstra* reminds the king that he can succeed only if assisted by competent councillors; one wheel alone does not move the carriage.[1] Manu points out that even a simple thing appears as difficult if one is to do it single-handed; why then attempt to run the complex machinery of the administration without the assistance of ministers?[2] Śukra observes that even an all-round king cannot know everything; different persons have different aptitudes. The king, therefore, should enlist the help of competent ministers. Otherwise he will ensure the destruction of himself and his kingdom.[3] Hindu political thinkers, it is

सहायसाध्यं राजत्वं चक्रमेकं न वर्तते ।
कुर्वीत सचिवाँस्तस्मात्तेषां च शृणुयान्मतम् ॥ Bk. I. Chap. 3.
अपि यत्सुकरं कर्म तदप्येकेन दुष्करम् ।
विशेषतोऽसहायेन किंनु राज्यं महोदयम् ॥ VII, 53.
पुरुषे पुरुषे भिन्नं दृश्यते बुद्धिवैभवम् ।
आप्तवाक्यैरनुभवैरागमैरनुमानतः । 5.
न हि तत्सकलं ज्ञातुं नरेणैकेन शक्यते ।
अतः सहायान्वरयेद्राजा राज्याभिवृद्धये ॥ 7.
विना प्रकृतिमंमंत्राद्राज्यनाशो भवेद् ध्रुवम् ।
रोधनं न भवेत्तस्माद्राजस्ते स्युः सुमंत्रिणः ॥ 8. *Śukra*, Chap. II.

thus clear, always regarded ministry as indispensable for the king.

Let us now see whether such was actually the case in practice. In the *Ṛigveda* and the *Atharvaveda* we find no mention of king's ministers, probably because there was no occasion to refer to them. The *saṁhitās* of the *Yajurveda* and the Brāhmaṇa literature, however, mention in several places some high functionaries, known as *ratnins*, (jewels), who probably formed the king's council.[1] The list of these 'jewels', however, is not the same in the different sources, nor are we yet in a position to interpret with confidence the functions of all of them. It is, however, possible to state in a general way that the *ratnins* consisted of royal relatives, ministers, departmental heads and courtiers. To the first of these categories belong the Crowned Queen and the Favourite Queen, who are invariably mentioned by all our authorities. This would suggest that queens in the Vedic age were not merely the consorts of kings, but played some part in the administration. The heir-apparent may have been included in the council of the king; he does not figure among the *ratnins*, because at the time of a king's coronation, his eldest son is not likely to be old enough to take active part in the administration.

Purohita, the royal chaplain, figures in all the lists of *ratnins* and naturally, Gods, it was believed, would not accept the oblations of a king, who had no competent chaplain; the presence of this personage in the ministry was indispensable in an age which believed that victories on the battlefield depended largely upon the favour of gods to be secured through proper sacrifices.

Among the departmental heads included in the list of the *ratnins* figure *senānī, sūta, grāmaṇī, saṁgrahītā* and *bhāgadhuk*. Of these *senānī* is the commander-in-chief. *Sūta* was probably the commander of the chariot corps of the royal army, who may have also acted as the honorary charioteer to the king. *Grāmaṇī* in a small state may have been the most prominent among the village headmen of the kingdom, who may have been selected to serve on the council of the *ratnins*. One text expressly calls him Vaiśya; he seems to have usually belonged to that class. *Bhāgadhuk* was obviously

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1. *P. Br.*, XIX. 1. 4 calls them *vīrās* or heroes.

the tax-collector or the finance member and *saṁgrahītā* the treasurer.

Kshattā, akshāvāpa and *pālāgala,* included among the *ratnins,* seem to have belonged to the class of courtiers. *Kshattā* was probably the Royal Chamberlain.[1] *Akshāvāpa* was the king's companion at the game table and *Pālāgala* was probably the king's bosom companion, corresponding to the *vidūshaka* of the later period. It has also been suggested that he may have been the ambassador of the neighbouring state,[2] but this seems improbable. Some texts[3] add *govikartana* or *govyachha, takshā* and *rathakāra* to the list of the *ratnins.* Wealth in the Vedic age consisted mostly of cows, and *govikartana* may have been some high officer connected with the royal store of cattle. *Takshā* means the carpenter and *rathakāra* the chariot-maker. Chariots played as important a part in the Vedic warfare as the airoplanes do in the modern one. It is therefore not unlikely that the chief of the guild of the carpenters or the chariot-makers may also have been represented on the council of the *ratnins.*

The council of the *ratnins* of the Vedic age thus appears to have consisted of (*a*) king's relations like the queens and perhaps the crown-prince (*rājanya*), (*b*) king's courtiers like the chamberlain, his bosom companion and his playmate at the game table and (*c*) important officers of the state like the commander-in-chief, the commander of the chariot corps, the chief tax-gatherer, the treasurer, the principal officer in charge of the royal stable, the principal village headman and the head of the carpenters' guild.

The status of the *ratnins* was fairly high ; at the time of the Vājapeya sacrifice, the king had to repair to their houses and not they to his palace, in order to offer the so-called *ratnin* oblations. They are in one place expressly described as bestowers of kingdom upon the king.[4] *Samiti* in the Vedic age was a powerful body, and it is not unlikely that the *ratnins* may have been selected from among its members ; but

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1. This is the sense of the word in later literature. Dr. Ghoshal, however, suggests that *Kshattā* may have been food-distributor *History of the Hindu Public Life,* I. p. 109. Whether there was such an office in the Vedic period may well be doubted.

2. Ap. Ś. Ś., XVII. 10. 26.

3. *S. Br.,* V. 3. 1. 1 ; *K. S.,* XV. 4.

4. एत वै राष्ट्रस्य प्रदातार: । *T. Br.,* I. 7. 3.

we have no positive evidence to support this probable conjecture. Nor do we know how they functioned ; whether they met as a council to advise the king or whether the latter consulted them in their individual capacity.

With the gradual disappearance of the Vedic sacrifices, the conception of *ratnins* also faded away from society. We occasionally get references to the *ratnas* of the king, but they do not denote only his advisers. Thus, for instance, the *Vāyupurāṇa* divides the *ratnas* of the emperor into two categories, animate and inanimate. To the former group belong not only the queen, the *purohita*, the commander-in-chief, the charioteer and the councillor but also the horse and the elephant, and to the latter class the *maṇi* (amulet), the sword, the bow, the lance, the jewel, the banner and the treasure.[1] It is clear that the nature of the *ratnins* was clearly misunderstood in the later period; their council had ceased to function as a part of the administration.

The evidence of the Dharmaśāstra and Nītiśāstra, however, shows that the *ratnins* did not disappear without leaving a more effective body to discharge their functions; this was the council of the ministers, variously described as *mantrins*, *sachivas* and *amātyas*.[2] We have shown already how the ministry was regarded as indispensable for good government by our constitutional thinkers and the available evidence shows that it, functioned in historic times in most of our states. In the earliest historical dynasty of Magadha, Vassakāra figures as the premier of Ajātaśatru;[3] his contemporary in Kośala, king Prasenajit, relied upon the advice of his ministers Mṛigadhara and Śrīvṛidha in carrying out important schemes.[4] The Jātakas frequently refer to ministers.[5] The Mauryas and the Śuṅgas had a regular council of ministers known as *Mantri-parishad*, which figures both in inscriptions and literature.[6]

1. Chap. 57. vv. 68-71.
2. The connotation of these terms was not uniform. The *Rāmāyaṇa* sometimes identifies *manthi* with *sachiva* (I. 112. 7) and sometimes differentiates between them (I. 7. 3 and I. 8. 4). The *Amarakosha* states that the *amātya*, who is a *dhisachiva*, is called a *mantrin* ; others are mere *karmasachivas*. According to Kautilya, *mantrins* were to be selected from among *amātyas* (I. 8).
3. *Dialogues of the Buddha*, II. p. 78.
4. *Uvasagadasao*, II. Appendix p. 56.
5. Nos. 528, 533.
6. *Arthaśāstra*, Bk. I. Chap. 15; Asoka rock-edicts, Nos. 3 and 6 ; *Mālavikāgnimitra*, Act V.

The Śaka rulers of Western India ruled with the assistance of a council of *mati-sachivas* (councillors) and *Karmaśāchivas* (administrative heads of departments);[1] *mantrins* (ministers) figure frequently in the Gupta inscriptions. The ministers under the Maukharis wielded great power, for it was their council which offered the Maukhari crown to Harsha, when the last Maukhari king died suddenly without leaving an heir.[2] Ministry was a regular feature of the medieval Hindu dynasties as well. Mahāpradhāna (prime-minister) Purushottamadeva figures in one record of the Paramāra king Yaśovarman.[3] Mahāmātyas (chief ministers) figure in almost all land grants of the Chālukyas of Gujarat, and *mantrins* (ministers) in those of the Gāhadwāls of the U. P. Mahāmātya (chief minister) usually heads the list of the officers mentioned in the grants of Chāhamānas of Nadol.[4] Several ministerial families are mentioned in the records of the Chandellas of Mahobā.[5] The Rājataraṅgiṇī shows how ministers played a very important part in the administration of Kashmir. The same was the case with the Rāshṭrakūṭa, Chālukya and Śilāhāra administrations of the Deccan, as shown by a number of their records. One Yādava grant states how it was made after previous consultation with the ministry.[6] The Deccan records further show that ministers often enjoyed the status of the feudatories and were granted the coveted title of *mahāsāmantas* and *mahāmaṇḍaleśvaras*.

Ministry was regarded as so very essential for good government that crown-princes and viceroys used to have their own councils of ministers in their own courts. Under the Mauryas, the viceroys at Taxila had their own ministers. Agnimitra, the crown prince and viceroy of Mālwā under Pushyamitra, had his own council of ministers (*c.* 150 B. C.). *Yuvarājapadīya Kumārāmātyas* constituted the ministry of the crown-prince under the Guptas.[7] Jaitugi, the crown-prince of the Yādava ruler Bhillama V (1190-1210 A. D.) had his own ministry. The same was the case with Tikkamadevarasa, the

1. Junagad inscription of Rudradāman I. *E. I.* VIII. p. 42.
2. Watters, I. p. 343.
3. *I. A.*, XIX p. 349.
4. *E. I.* XI. p. 308.
5. *E. I.*, I. p. 157 ; p. 208.
6. श्रीसेउणारव्येन नृपेण प्रधानयुक्तेन विचार्य हृद्दयं दत्तम् ।
   I. A. XII. p. 127
7. *A. S. I., A. R.,* 1903-4, p. 107.

viceroy of the south, under the Yādava ruler Rāmachandra.[1]
The Yuvarājas and viceroys had the status of feudatory rulers
and it was, therefore, but natural that they should have had a
ministry of their own, as was the case at the imperial court.

Let us now see what was the strength of the ministry.
Manu holds that the ministry should consist of 7 or 8 members;[2]
the latter number is prescribed by the *Mahābhārata*.[3] The
Arthaśāstra quotes different views on the topic, from which
we learn that the Mānava, the Bārhaspatya and the Auśanasa
schools were in favour of a ministry of 12, 16 and 20 respec-
tively.[4] The *Śukranīti* recommends a ministry of ten.[5] The
Nītivākyamṛita is in favour of a smaller ministry consisting of
3, 5 or 7 members only.

It is clear that this difference of opinion on the question
is due to the differing needs of the different states which our
writers had in their mind. Manu[6] and Kauṭilya[7] agree with
each other in stating that the actual number of ministers
should depend upon the needs of the situation in the state
concerned. If the state was a small one or if its activities were
limited in their scope, a small ministry of 4 or 5 would suffice.
Such, for instance, was the case under the Śilāhāras, whose
kingdom was small one.[8] In the age of the Jātakas, when
the activities of the state were limited, we find that the
ministry usually consisted of 5 members only.[9] But in big
empires the number of ministers was large. The foreign
office itself had several ministers in charge of its different
sections. Thus in the Śilāhāra administration, there was one
chief foreign minister along with another minister in charge
of the foreign affairs of Karnatak only, having also the full
ministerial status.[10] If a small kingdom like that of the
Śilāhāras had two foreign ministers, larger states like the
Maurya, Gupta and Rāshṭrakūṭa empires must have had
several. The traditional number of ministers, however, seems

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1. *S. I. I.*, IX. Nos. 367 and 387.
2. सचिवान्सप्त चाष्टौ वा कुर्वीत सुपरीक्षितान् । VII. 54.
3. अष्टानां मंत्रिणां मध्ये मंत्रं राजोपधारयेत् ॥ XII. 85.
4. Bk. I. Chap. 15.
5. II. 70.
6. *Manu*, VII. 61.
7. यथासामर्थ्यमिति कौटिल्यः । Bk. I. Chap. 15.
8. *I. A.*, V. p. 278 ; IX. p. 35.
9. *Jātaka* No. 528.
10. *I. A.*, V. 277.

to have been eight; if more persons were necessary to dis-
charge the duties properly, they must have been usually
appointed as secretaries to the ministers concerned, as recom-
mended by Śukra.[1]

There used often to be a smaller cabinet of important
ministers consisting of three or four members only. When
Rāma exhorts Bharata to decide his policy after consulting
three or four ministers (II. 100. 71) or Kauṭilya lays down
that the king should hold consultation with three or four
ministers[2], it is clear that the smaller cabinet of the ministry
is being referred to.

It appears that in addition to the ministry of eight or
ten, the members of which were usually called *mantrins*,
there was also a larger body of advisors corresponding to
the modern Privy Council, the members of which were
usually known as *amātyas*. The council of 36 *amātyas* refer-
red to by the *Mahābhārata*[3] seems to have corresponded
to such a Privy Council rather than to the ministry. The
Arthaśāstra also shows that the *amātyas* were no doubt high
officials and departmental heads but inferior in status to and
much larger in numbers than *mantrins*.[4] They were, however,
summoned for consultation on grave occasions along with
the ministers. Later on under the Sātavāhanas and the
Pallavas the term *amātya* came to denote provincial governors
or subordinate officers, and not members of the Ministry or
the Privy Council.[5]

The scope of the work of the ministry included the
whole administration. It was to enunciate new policies, to
ensure their successful working, to remove any difficulties
that may crop up, to supervise and direct the state policy
regarding taxation and expenditure, to take steps for the
proper education and training of the princes, to participate
in their coronation, and to direct the foreign policy, both

1. II. 109-110.
2. मंत्रिभिस्त्रिभिश्चतुर्भिर्वा सह मंत्रयेत । I. 15.
3. XII. 85. 7-8.
4. *Mantrins* had a salary of 48000 a year ; the *amātyas* received
    only 12,000.
5. Nasik Ins. No. 3 is addressed to Vinhupālita, the *amātya* of the district
    of Govardhana. *E. I.*, VII. See *E. I.*, I. p. 5 for the usage in the
    Pallava administration.

with reference to internal feudatory kings and external independent states.[1]

It is but natural that this work should have been divided among themselves by the ministers, each one taking one department. Our early writers, however, do not enlighten us about the different portfolioes assigned to the members of the ministry. It is only Śukra, a writer of about the 8th century A. D., who gives us some idea of their portfolioes. According to him, the ministry, whose strength was to be 10, was to consist of (1) *Purohita*, (2) *Pratinidhi*, (3) *Pradhāna*, (4) *Sachiva*, (5) *Mantri*, (6) *Prādvivāka*, (7) *Paṇḍita*, (8) *Sumantra*, (9) *Amātya* and (10) *Dūta*; he, however, adds that according to some, *Purohita* and *Dūta* were not to be the members of the ministry.[2]

Though earlier authorities do not mention the names of the different portfolioes, we may take it that ministers usually divided the departments on the lines suggested by Śukra, for many of the ministers mentioned by him figure in inscriptions, either with the same or equivalent titles. We shall now briefly survey the duties and functions of the different ministers.

Purohita or the Royal Chaplain figured prominently in the council of *ratnins* of the Vedic period, and he continued to be a member of the ministry for several centuries. He stood in the relation of a spiritual preceptor (*guru*) to the king. He was to protect the nation by counteracting the magical charms of the enemy and ensuring its prosperity by performing the requisite rituals (*purohitikarmas*) recommended in the *Arthaśāstra*.[3] He consecrated the war elephants and horses of the state army in order to enhance their military efficiency[4] and even accompanied the king to the battlefield

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1. मंत्रो मंत्रफलावाप्तिः कर्मानुष्ठानमायव्ययकर्म
   कुमाररक्षणमभिषेकश्च कुमाराणां आयत्तममात्येषु ।

   Arthaś'. Book VIII. Chap. 1 ; see also Book I. Chap. 6. *Jātaka* No. 257 shows that the ministers would often exercise their discretion in deciding when the heir-apparent should be invested with ruling powers.

2. II. 70-72.

3. पुरोहितं षडंगे वेदे दैवे निमित्ते अभिविनीतमापदां दैवमानुषाणामथर्वभिरुपायैश्च प्रतिकर्तारं कुर्वीत । तमाचार्य शिष्यः पितरं पुत्रो भृत्यः स्वामिनामिवानुवर्तेत । *Arthaśāstra*, Bk. I. Chap. 9.

4. **Susima Jātaka.**

in the Vedic times in order to ensure his victory by his
prayers, sacrifices, charms and incantations.[1] He was expected
to be well-versed both in *śastra* (military art) and *śāstra*
(religious rituals), as also in the political science. When
the king, consecrated for a long sacrificial session, could not
direct the administration, it was the *purohita* who deputised
for him.[2] The *Rāmāyaṇa* shows that when the monarchy
was in abeyance owing to the absence of a suitable heir to
ascend the throne, it was the *purohita* Vasishṭha, who carried
on the administration. Among the ministers, *purohita* alone
enjoys the distinction of having a ritual prescribed for his
installation; it was known as *Bṛihaspatisava*, and was in
vogue in the Vedic age.

Purohita must have wielded considerable influence
during the period of the ascendancy of the Vedic sacrifices.
When the popular faith in them declined with the rise of
the Upanishadic, Jain and Buddhist movements, the influence
of *purohita* must have declined. In the Jātakas, he is seen
still occupying an important position; he is *sabbātthaka*
minister or minister plenipotentiary. But later on, there
is no doubt that his influence declined. Post-Gupta ins-
criptions usually distinguish him from ministers, showing that
he is no longer a member of the ministry.[3] *Śukranīti* is probably
following the old tradition, rather than reflecting the contem-
porary practice, when it places the *purohita* at the head of the
ministry. It however admits that he had no place in that
body according to the views of others (Ii, 72). Though
purohita, generally speaking, ceased to be a member of the
ministry from *c*. 200 A. D., he continued to exercise consi-
derable moral influence upon the king; the fiown of an ideal
purohita was sufficient to keep the king on the path of virtue
and rectitude.[4]

The second minister of Śukra is *pratinidhi*. It was his
duty to deputise for the king when he was ill or absent on an

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1. Viśvāmitra was with his king Sudās throughout the campaign
   against the 10 kings. It was at his prayer that the Vipāś and the
   Śutudru rivers agreed to reduce the depth in order to facilitate the
   movements of the king's armies (*R. V.*. II. 33).
2. *Ap. Ś. S.*, XX. 2-12. 3. 1-3 ; *B. Ś. S.*, XV. 4.
3. राजराज्ञीयुवराजमंत्रिपुरोहितप्रतीहारसेनापति······
   in Gahadwal records. The Śilāhāra records also differentiate him
   from *Mantrins* and *Amātyas*. *E. I.*, XI. p. 24.
4. यत्कोपभीत्या राजापि धर्मनीतिरतो भवेत् । Śukra, II. 99.

expedition. It is very likely that this duty must have devolved upon the Crown-prince, when he had become old enough to assume the reins of his office. The *Uparājā* of the Jātakas seems to have corresponded with the *pratinidhi* of Śukra It, however, appears that the portfolio of *pratinidhi* was not generally included in ministry; inscriptions do not refer to his office and Manu states that the premier should deputise for the king, and not the *pratinidhi*.[1]

Pradhāna or the Premier was the most important member of the ministry. According to Śukra, he was to be *sarvadarśi* *i.e.* the superintendent of the whole administration.[3] Jiyanta, who is called *sarvasya anushṭhātā*, the performer of everything, in a 6th century record of the Kadamba dynasty,[4] Kṛishṇam-bhaṭṭa, who was a *Mahāmātya* under king Dantivarman (*c.* 880 A. D.) of the Gujarat Rāshṭrakūṭa branch,[5] Babhiyaka, who is styled as *mahāpradhāna* in an 11th century Yādava record,[6] Mantrīndra Vatsaiāja of the Chandella king Kṛishṇavarman, (*c.* 1090 A. D.)[7], Sallakshapāla, who figures as a *mahāmantrin* of the Chāhamāna ruler Viśāladeva (*c.* 1160 A. D.), the *Mahā-mātyas* who figure in several Paramāra and almost all the Chaulukya grants, these were all discharging the duties of the prime-minister. The status of the premier was naturally very high; our epigraphs often state how the nails of their toes were brightened by the rays in the crowns of the feudatories. As in modern times so in ancient India, premiers used to take a particular portfolio as well; Premier of the Śilāhāra king Anantadeva was also Lord the High Treasurer in 1085.[8]

The War-minister was the next important member of the ministry. The title *sachiva*, given to him in the *Śukranīti*, was, however, not the usual designation by which he was known. He was known as *senāpati* under the Mauryas, *Mahābalādhi-kṛita*[9] under the Guptas, *Kampana* in Kashmir[10] and *Mahā-prachaṇḍadaṇḍānāyaka* under the Yādavas. The *Nītivākyāmṛita*

1. VII. 141.
2. सर्वदर्शी प्रधानस्तु । II. 89.
3. *I. A.*, VI. p. 24.
4. *E. I.*, VI. p. 287.
5. *E. I.*, II. p. 225.
6. *I. A.*, XVIII. p. 238.
7. *I. A.*, XIX. p. 218.
8. *I. A.*, XII. p. 127.
9. *E. I.*, X. 71.
10. *Rājataraṅgiṇī*, VII. 365

is opposed to the inclusion of the commander-in-chief in the ministry,[1] but it seems that the normal practice was to include him in that body. The war minister was to be an expert in the theory and practice of war and well-versed in the art of organisation. It was his duty to see that all forts were properly garrisoned and all the branches of the army were properly equipped and were kept at their highest efficiency.[2]

The Foreign Minister is the next important member of the ministry. He is designated as *mantrin* by Śukra, but the inscriptions give him the more significant title of *mahāsandhi-vigrahika*, 'the highest officer in charge of peace and war'. India was usually studded with a large number of states, some independent and some feudatories. Most of them used to entertain the secret hope to attain the imperial status one day. The work of the Foreign Minister was, therefore, both heavy and exacting. It was divided countrywise; even the small Śilāhāra kingdom of Chittarājadeva (c. 1025 A. D.) had one chief Foreign Minister and another Foreign Minister in charge of Karnatak politics.[3] If such a small kingdom required two officials at the foreign office, both of the status of a minister, one can well conclude that the ministries of big kingdoms like those of the Mauryas, the Guptas, the Rāshṭrakūṭas and the Gurjara-Pratīhāras must have had several foreign ministers or secretaries working under the directions of a Chief Foreign Minister.

The Foreign Minister was to be well versed in the four-fold policy of *sāma* (conciliation), *dāma* (appeasement), *daṇḍa* (war), and *bheda* (causing dissentions in the enemy's camp).[4] Numerous inscriptions show that he was also usually in charge of drafting the copper plate charters, granting lands and villages to Brāhmaṇas, temples and monasteries. This appears rather strange, but when we remember that the charters had usually to describe the genealogy of the dynasty with the exploits and achievements of each ruler, one can at once realise that the Foreign Minister was the best person to approve of the texts of the grants. It is interesting to note that there is an agreement in this respect between the epigraphical practice and the dicta of contemporary Smṛitis; an anonymous

1. Chap. X. 101-2.
2. *Śukranīti*, II. 95.
3. *I. A.*, V. p. 277.
4. *Śukra.* II. 95.

text quoted in the *Mitāksharā*, expressly states that the *sandhivigrahakārī* should draft the copper-plate charters.[1]

The next minister *prāḍvivāka* was in charge of the judicial department; he was also the chief-justice. He was to be well-versed in the traditional and Smṛiti Law, and an expert in evaluating evidence. He presided over the highest court of appeal in the absence of the king. He figures rather rarely in inscriptions.[2]

The next minister *paṇḍita* was in charge of religion and morality. He was to be well-versed in Dharmaśāstra and to find out which religious views and practices were actually current and popular, which were prescribed in Śāstras but had become obsolete and which were opposed both to the dictates of the Śāstras and the practice of the people. It was his duty to take a wide and comprehensive view in the matter and advise the government upon its religious policy. We have shown already how the state was to be the guardian of *dharma*. This, however, did not mean that it was to blindly enforce whatever was prescribed in antiquated texts. It was the duty of one of its ministers, *viz* the *paṇḍita* to find out which practices had become antiquated and to discourage and not enforce them. He was also to advise the government about suitable changes that could be introduced in consonance with the spirit of *dharma* and culture.[3] The *dharmamahāmātras* of Aśoka, the *śramaṇamahāmātras* under the Sātavāhanas,[4] the *vinayasthitisthāpakas* under the Guptas,[5] the *dharmāṅkuśas* under the Rāshṭrakūṭas[6] and the *dharmapradhānas* under the Chedis, all seem to be the officers working under this department. Grants to temples and monasteries, as also to schools and colleges must have fallen primarily within the province of this department.

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1. संधिविग्रहकारी तु भवेद्यस्तस्य लेखक: । On *Yāj.*, I. 319.
2. He is mentioned in the Sanjan Plates of Amoghavarsha I as the drafter of the record. *E. I.*, XVIII. 235.
3. वर्तमानाञ्च प्राचीना धर्मा: के लोकसंश्रिता: ।
   शास्त्रेषु के समुद्दिष्टा विरुध्यन्ते च केऽधुना ॥
   लोकशास्त्रविरुढा: के पण्डितस्तान्विचिन्त्य च ।
   नृपं संबोधयेत्तंश्च परत्रेह सुखप्रदं: ॥ *Śukra,* II. 100.
4. *E. I.*, VIII. p. 91.
5. *A. S. I., A. R.*, 1903-4. p. 100.
6. *I. A.*, XVIII. p. 230.

The next minister mentioned by Śukra is Treasurer. He designates him as *sumantra*, but the Vedic term *saṁgrahītā* (collector) or the Kauṭiliyan expression *samāhartā* (bringer together) are more expressive. Inscriptions often describe him as *bhāṇḍāgārika*, the officer in charge of treasury and stores;[1] this phrase correctly describes the duties of his office. It was his duty to find out what were the total collections and disbursements for the year, and what was the balance at its end.[2] Taxes were collected mostly in kind; the duty of the treasurer was, therefore, an exacting one. He had to sell old corn and replace it by new one every now and then, lest it should become useless.

The Treasurer was an important minister. In 1094 A. D., the Śilāhāra ruler Anantadeva had a small ministry of only three and yet the Treasurer was included in it. The *Mahābhā-rata* (XII. 130. 35), *Kāmandakanītisāra* (XXXI. 33) and *Nītivākyāmṛita* (XXI. 5) declare that the treasury was the very root of the state and must be properly looked after. The Treasurer figures invariably among the officers mentioned in the Gāhadwāl copper plate grants; his non-mention in other records must be regarded as purely accidental.

The Revenue Minister now remains to be considered. He is called *amātya* by Śukra and it was his duty to have a correct inventory of villages, towns and forests in the country and of the income expected from each. His office also had an accurate account of the land under cultivation, and land lying fallow, as also of the expected produce from the different mines.[3] He figures rather rarely in inscriptions.[4]

It is unfortunate that we should possess no detailed evidence about the actual working of the ministry either from our constitutional writers or from inscriptions. Under normal conditions the king presided over the council and is advised not to lose his temper, if a different view is taken by his

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1. *I. A.*, IX. p. 33.
2. इयच्च संचितं द्रव्यं वत्सरेऽस्मिंस्तृणादिकम् ।
   व्ययीभूतमियच्चैव शेषं स्यावरजंगमम् ।
   इयदस्तीति वै राज्ञे सुमंत्रो विनिवेदयेत् ॥ *Śukra*, II. 101.
3. *Śukra*, II. 103-5.
4. An 11th century Yādava record mentions him ; *E. I.* I. p. 225. The *mahāmātyas*, who figure in Chaulukya records are Premiers.

..dvisers.[1] Manu recommends (VII. 57) that the king should
consult the ministers both jointly and separately. A minister
may not choose to divulge his real views in the presence of
others; hence individual consultation was also recommended.
Śukra apprehended that the presence of the king in the
council may often induce ministers not to express their real
views, that may be unpalatable to the king; he, therefore,
recommends that ministers on such occasions should be· asked
to send their views in separate memoranda, explaining fully
the grounds for their advice.[2] Kautilya was in favour of joint
consultation with three or four ministers, whose portfolios may
have been connected with the matter.[3] The *Rājataraṅgiṇī*
shows that all these alternatives were followed by the
Kashmirian kings as required by the particular situation.[4]

Under normal circumstances, we may, however, presume
that the ministry acted in a body and was jointly consulted.
A unanimous decision of the ministry arrived at after full
discussion and in consonance with the dictates of the science
of polity was highly valued.[5] Kautilya recommends that
even on critical occasions, the king should usually accept the
advice of the ministry or the view of its majority, though it
was open for him to adopt a course which he thought to be
most advantageous.[6]

Rock edicts III and VI of Aśoka throw further light
upon the working of the council of ministers. The third
edict shows that the council's orders were to be duly recorded
and expounded to the public by local officers. The sixth
edict discloses that the oral orders of the emperor, as well as
the decisions of the departmental heads taken in urgent

1. मंत्रकाले न कोपयेत् । *Bārhaspatya-Arthaśāstra.* II. 59.
2. रागाल्लोभाद्भयाद्वाऽज: स्यर्मूका इव मंत्रिण: ।
    न ताननुमतान्विद्यान्नृपति: स्वार्थसिद्धये ।
    पृथक् पृथक् मतं तेषां लेखयित्वा समाधनम् ।
    विमृशेत्स्वमतेनैव यत्कुर्याद्वहुमंतमतम् ॥ I. 363-4.
3. Bk. I. Chap. 15.
4. At VII. 1043 and 1415, we find king Harsha having a joint con-
    sultation with all his ·ministers. King Jayasiṁha often preferred
    to consult only a few ministers (VIII. 3082-3).
5. ऐकमत्यमुपागम्य शास्त्रदृष्टेन चक्षुषा ।
    मंत्रिणो यत्र निरतास्तमाहुमँत्रमुत्तमम् ॥ *Rāmāyana,* VI. 12.
6. तत्र यद्भूयिष्ठा: कार्यसिद्धिकरं वा ब्रूयुस्त त्कुर्यु: ।
                        Arthaśāstra, Bk. I. Chap. 6.

cases, were subject to review by the council of ministers. It was not merely a recording body, for very often it used to suggest amendments to the king's orders or even recommend their total reversal. Aśoka says that when such a contingency arose, or when the council was divided on any topic, the matter was to be at once reported to him. There can be no doubt that the emperor himself must have taken the final decision, but the fact that the council used to suggest revision of royal orders, necessitating their reconsideration by the king, shows that its powers were real and extensive.

The council of ministers continued to flourish under the Śuṅgas as well, even in the courts of their Crown-princes. Agnimitra had such a council to assist him in his provincial capital. The council could meet and transact business even in the absence of their Crown-prince; its decisions were later communicated to him for final acceptance.[1]

The ministerial council existed also under the Śakas of the western India. The Junagad inscription of Rudradāman shows how important financial projects like the rebuilding of the Girinagar dam were first referred to it for consideration. It is a pity that we should have no information about its functioning in northern India in the Gupta and post-Gupta administrations. We have, however, already shown how ministers were integral parts of all these administrations. It is but natural to presume that they usually worked in a corporate capacity as a council and continued to exercise the same great influence upon the administration as under the Mauryas, the Śuṅgas and the Śakas. This inference becomes fortified from what we know of the Chola administration of the 11th century. The records of this dynasty show that the ministry functioned under the Cholas in southern India exactly in the same way as it did under Aśoka 1300 years earlier in northern India. The oral orders of the Chola king were subject to review by his council, as was the case with the oral orders of Aśoka. It was only when the arrangement was thus approved that the royal order was entered into official registers.[2]

Details of the routine working of the ministry can be gathered only from the *Śukranīti*. Though this is a late work, we may well presume that its account held good of the earlier periods as well. Śukra recommends that each minister

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1. *Mālavikāgnimitra*, Act V.
2. *S. I. I.* III. No. 21 ; *E C.*, X. Kolar No. 111.

should normally have two secretaries, but their number may be increased if the work of the department demands this step. Conversely if a department was very small, the secretary was often dispensed with.[1] A secretary was often promoted to the position of the minister in due course, if he had proved his capacity by his work and achievements. Śukra recommends the occasional transfer of ministers from one portfolio to another. This was intended partly to offer scope to able ministers to get the charge of departments, more important than those to which they were originally appointed. That such changes in portfolios were often taking place in practice is shown by the case of Pṛithivīsheṇa, who was first an ordinary minister, but was later promoted to the post of the Commander-in-chief and War Minister.[2]

Capable and ambitious ministers often held more than one portfolios, a phenomenon not unknown in our own times. Thus in the cabinet of king Jayasiṁha of Kashmir, Sujji was both the Judicial and Military member. A little later Alaṁkāra was appointed to the post of both the Commander-in-chief and Chief-Justice.[3] It was, however, only in exceptional cases that the portfolios were thus allowed to be combined; normally each minister held the charge of one department only.

When a matter was decided, the minister to whose department it primarily belonged, used to write a minute, containing the decision, with note at the end that it had his full approval. The minute was then sealed and sent to the king for his sanction. The king used to sign the final order, in token of his approval or ask the Crown-prince to do so on his behalf. When the order thus received the royal approval, it was duly published or sent to the department or officers concerned for execution.[4]

Let us now see what qualifications were expected in ministers. The *Arthaśāstra* and other works show that opinion

1. एकस्मिन्नधिकारे तु पुरुषाणां त्रयं सदा ।
   नियुञ्जीत प्राज्ञतमं मुख्यमेकं तु तेषु वै । 109.
   द्वौ दर्शकौ तु तत्कार्यं ह्रायनैस्तान्निवर्तयेत्
   ·त्रिभिर्वा पंचभिर्वापि सप्तभिर्दशभिश्च वा ॥ 110
   अधिकारिबलं दृष्ट्वा योजयेद्दर्शकान्बहून् ।
   अधिकारिणमेकं वा योजयेद्दर्शकैर्विना ॥ 115 (Chap II.·

2. *E. I.*, X. p. 71.
3. *Rājataraṅgiṇi*, VIII. 1982-4 ; 2925.
4. *Śukra*, II. 363-7.

was not unanimous upon the point. Some regarded ability and others loyalty as the most important criterion. Some held that the selection should be made from among the king's school-companions, others thought that the choice should be restricted to members of certain loyal and tested families. Kauṭilya opined that there was truth in each of the above views and recommended the selection of persons combining as many qualifications as possible. According to him an ideal minister should be a native of the country, born of high family, influential, well-trained in arts, possessed of foresight, wise, strong in memory, bold, eloquent, skilful, intelligent, possessed of enthusiasm, dignity and endurance, pure in character, affable, affectionate, firm in loyal devotion, endowed with excellent strength, health and bravery, free from procrastination and fickle-mindedness and such qualities as excite hatred and enmity.[1] The picture of the ideal minister, according to other writers also, is almost the same.[2] In actual practice, all these qualities could not be ensured in every minister; it was, therefore, recommended that an effort should be made to make the selection in the light of the ideal.

Let us now see how far ministers conformed to this high standard in actual practice. When weak, vicious and fickle-minded kings were on the throne, ministers selected by them were often worthless sycophants. Thus in Kashmir king Unmattāvanti is known to have selected his ministers from among musicians, and king Chakravarman from among the *dombs*, who were the relations of his newest love. Probably the same was the case under rulers like Bṛihaspatimitra Maurya, Devabhūmi Śuṅga, Govinda IV Rāshṭrakūṭa, and other rulers of their type who were weak, vicious and wicked. Such cases, however, were exceptional and did not frequently disfigure the administration. A perusal of the 'epigraphical and literary evidence shows that effort was usually made to select capable persons, well-versed in the political science. Śāba, a minister of Chandragupta II, is expressly described as well grounded in the science of politics and poetics.[3] Nārāyaṇa, a minister of Rāshṭrakūṭa king Kṛishṇa III, is

1. Bk. I. Chap. 5.
2. *Mbh.*, XII. Chaps. 82-5 ; *Kāmandakanitisāra*, IV. 25-31 ; *Śukra-nīti*, II. 52-64.
3. शब्दार्थन्यायनीतिज्ञः कविः पाटलिपुत्रकः । *C. I. I.*, III. 35.

known to have been a past-master in the political science.[1]
Nāgarasa, the premier of the Yādava ruler Krishṇa, was a
statesman whose intellect had become versatile owing to the
study of various works on the science of polity.[2] We can well
conclude that in normal cases ministers were appointed only
when they were known to be well versed in the theory and
practice of administration and political science.

The view of the Smṛiti writers that the sons or relations
of a minister should, if possible, be selected while making new
appointments to the ministry, was also very frequently given
effect to. Under the Guptas, the families of Śāba and
Pṛithvīsheṇa were holding different ministerial appointments
for more than one generation.[3] In the Parivrājaka admini-
stration, Sūryadatta was a minister in 482 A. D. and his son
Vibhudatta 28 years later.[4] Under Uchchakalpa dynasty,
Gallu was Foreign Minister in 496 and his brother Manortha
in 512 A. D.[5] Under the Chandellas five generations of one
family, Prabhāsa, his son Śivanāga, his son Mahīpāla, his son
Ananta and his son Gadādhara, are known to have worked as
ministers or prime-ministers under seven generations of the
dynasty represented by Dhaṅga, his son Gaṇḍa, his son
Vidyādhara, his son Vijayapāla, his son Devavarman, his
brother Kīrtivarman, his sons Sallakahaṇavarman and Pṛithvī-
varman and the former's son Jayavarman.[6] A little later
under the same dynasty, Lahaḍa was minister under Madana-
varman and his son Sallakshaṇa and grandson Purushottama
under Paramarddideva, the grandson of Madanavarman.[7]

It is thus clear that when the Smṛitis and Nītis recommend
that ministers should be selected from hereditary families,
they were enunciating a principle that was widely followed in
actual practice. If, however, the son of a minister was in-
competent, it is expressly laid down that he should not be

1. पारगो राजविद्यानां कविमुख्य: प्रियंवद: । *E.I.,* IV. p. 60.
2. अनेकराजनीतिशास्त्रोक्तविवेकवर्धितबुद्धिकौशल: । *I.A.,* XII. p. 126.
3. Śāba is described as अन्वयप्राप्तसाचिव्य: । Pṛithvīsheṇa was a
    minister under Kumāragupta I and his father Śikharasvāmin
    under the latter's father Chandragupta II. *E. I.,* X. p. 71.
4. *C. I. I·* III. pp. 104. 108.
5. *Ibid,* p. 128.
6. *E. I.,* I. p. 197.
7. *Ibid,* pp. 208-211.

appointed to the ministerial post; he may be offered some lesser post.[1]

Sometimes ministers were selected also from the members of the royal family. Thus king Harsha of Kashmir had appointed two sons of a former ruler as his ministers[2] and the premier of the Chāhamāna ruler Visaladeva was his own son Sallakshaṇapāla.[3] Selection of ministers from the distant scions of the royal family could not, however, have been very common; for there was also the danger in such cases that the minister may try to usurp the throne for himself.

Curiously enough Smṛiti and Nīti writers do not empha-sise military leadership and ability in the minister;[4] a perusal of the epigraphical evidence, however, shows that they were usually military leaders as well. Harisheṇa, the Foreign Minister of Samudragupta, was also a general (mahābalādhikṛita). Provincial governors under the Ikshvākus and the Vākāṭakas were military commanders, and the same was the case pro-bably with many of their ministers. Chāmuṇḍarāya, the minister of the Ganga king Mārasiṃha, had won the battle of Gonur for his king.[5] In 1024 A. D. the Minister of Records of the Later Chālukyas was a mahāprachaṇḍa-daṇḍa-nāyaka; clearly he was a high military officer as well. All the ministers of the Kaḷachuri king Bijjaladeva were daṇḍa-nāyakas or generals.[6] One is surprised to find that even the minister Hemādri, who had spent so much of his time in writing about vratas and rituals, should also have been a general; he was not only well acquainted with the theory and practice of training war-elephants, but had led a successful expedition against a rebel chief in Jhandi district.[7] Nāgarasa, the premier of Yādava king Kṛishṇa, was as great a scholar as a soldier.[8]

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1. यदि मौलाः कुलीना अपि तथा पितृपँतामहपदयोग्यगुणहीनास्तान्
यथायोग्येषु कर्मसु नियुञ्जीतन तु तत्तत्पितृपँतामहपदेषु तत्र तत्र तेषा-
मयोग्यत्वात् । *Rājanitiprakāśa*, p. 176.
2. *Rājataraṅgiṇī* VIII. 874.
3. *I. A.*, XIX. p. 218.
4. Kauṭilya, Kāmandaka and Somadeva passingly observe that ministers should be brave, but do not emphasise upon military qualifications and leadership.
5. *E. I.*, V. p. 173.
6. *I. A.*, XIV. p. 26.
7. *J. R. A. S.*, V. p. 183.
8. *I. A.*, XIV. p. 70.

Smṛitis prefer that ministerial appointments should normally go to Brāhmaṇas. How far such was actually the case, we do not know. Epigraphs do not refer to the castes of the ministers mentioned in them. It is, however, likely that most of the castes and interests were represented on the ministry. According to the *Mahābhārata*, the Privy Council of the king was to consist of only four Brāhmaṇas, but eight Kshattriyas, twenty one Vaiśyas and three Śūdras.[1] Śukra states that it is only on the occasion of dinner and marriage that one should enquire about the caste, not when making appointments to the ministry.[2] Somadeva recommends that the ministers should be selected from all the three regenerate castes[3] and Śukra has no objection to the military portfolio being under a Śūdra, if he is capable and loyal.[4] Majority of kings in ancient India were non-Brāhmaṇas, and it is very likely that the same was the case with the majority of their ministers, especially because they were also expected to be military leaders.

Ministerial appointments were made by the king. We have shown already how there existed no popular Central Assembly in historic times to which ministers could have become responsible. They were, therefore, directly responsible to the king and only indirectly to the public opinion. Influence of ministers, therefore, largely depended upon personal factors and not upon the constitutional backing of a popular assembly. When there was a powerful and self-willed ruler upon the throne, like Bimbisāra, he would dismiss some ministers for giving bad advice, degrade some for inefficiency and promote

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1. चतुरो ब्राह्मणान् वेदान्प्रगल्भान्स्नातकाञ्शुचीन् ।
   क्षत्रियान् दश चाष्टौ च बलिनः शस्त्रपाणिनः ॥
   वैश्य।न्वित्तेन संपन्नान् विंशतिसंख्यया ।
   त्रींश्च शूद्रान्विनीतान् शुचीन्कर्मणि पूर्वके ॥ XII. 85. 7-8.

2. नैव जातिं न च कुलं केवलं लक्षयेदपि ।
   कर्मशीलगुणाः पूज्या तथा जातिकुलेन च ।
   न जात्या न कुलेनैव श्रेष्ठत्वं प्रतिपद्यते ।
   विवाहे भोजने नित्यं कुलजातिविवेचनम् ॥ II. 54-5.

3. *Nitivākyāmṛta* p. 55.

4. स्वधर्मनिरता नित्यं स्वामिभक्ता रिपुद्विषः ।
   शूद्रा वा क्षत्रिया वैश्या म्लेच्छाः सकरसंभवाः ।
   सेनाधिपाः न निकार्य च कार्या राज्ञा जयार्थिना ॥ II. 139.

others for their good advice.[1] The position of ministers under
such rulers was difficult. They, like Rāvaṇa, expected their
ministers to concur with them; if they offered unwelcome
advice they were often in the danger of being dismissed.[2]
Sometimes they were even banished and their property
confiscated for their daring to displease the king by their
unwelcome advice.[3] The other side of the picture comes
before us when kings were weak and ministers ambitious to
usurp the throne. Then also their mutual relations were
strained; the ministers would conspire to multiply the difficul-
ties and calamities for their rulers.[4] The father of Satyavān,
the husband of Sāvitrī, had lost his kingdom owing to the
machinations of his ministers; the same was the case with the
• last ruler of the Śuṅga and the Later Chālukya dynasties in
historic times.

Cases above referred to were, however, unusual. Normal-
ly kings had a high regard for their ministers and the latter
were loyal to them; they also regarded themselves as trustees
of the interest of the people. Ministers were the pillars of the
state[5] and normally the kings used to accept their advice,
though the ultimate responsibility rested with the crown.[6]
It was the first and foremost duty of the minister to control
the king and to see that he did not follow the wrong path.[7]
They are the real friends of the king, says Kāmandaka, who
prevent him from following a dangerous path.[8] Ministers,

1. *Chullagagga*, V. 1.
2. संपृष्टेन तु वक्तव्यं सचिवेन विपश्चिता ।
   वाक्यमप्रतिकूलं तु मृदुपूर्वं हितं शुभम् ।
   सावमदं तु यद्वाक्यं मारीच हितमुच्यते ।
   नाभिनंदति तद्राजा मानार्हो मानवर्जितम् ।
   एतत्कार्यमवश्यं मे बलादपि करिष्यसि । *Rāmāyaṇa*, III, 43. 9-10,25.
3. *Rājataraṅgiṇī*, II. 68 ; VI. 342.
4. सदैवापद्गतो राजा भोग्यो भवति मंत्रिणाम् ।
   अत एव हि वाञ्छंति मंत्रिणः सापदं नृपम् ॥ *Panchatantra*, p. 66.
5. अंतःसारैरकुटिलैरच्छिद्रैः सुपरीक्षितैः ।
   मंत्रिभिर्धार्यते राज्यं सुस्तंभैरिव मंदिरम् ॥ *Panchatantra*, p. 66.
6. तद्यद्भूयिष्ठाः कार्यसिद्धिकरं वा ब्रूयुः तत्कुर्यात् ।
   Arthaśāstra, Bk. I. Chap. 15.
7. ये एनमपायस्थानेभ्यो वारयेयुः । *Ibid*, Bk. I. Chap. 3.
8. नृपस्य त एव सुहृदस्त एव गुरवो मताः ।
   य एनमुत्पथगतं वारयंत्यनिवारितम् ॥ IV. 41.

worth their name, must inspire the king with awe; they must devote themselves wholeheartedly to the proper performance of public duties and never think of pandering to the whims of the rulers.[1] As ministers occupied so important a place in the body politic, it was but natural that some thinkers should have held that the ministerial debacle was the greatest calamity that could fall upon a kingdom.[2]

Personal factors counted for a good deal in determining the position and powers of ministers. Our constitutional writers point out that when kings were strong and powerful, they were the centres of power and the administration was known as 'king-centred' (*rājāyatta-tantra*); when they were weak and incapable, ministers were the virtual rulers and then the administration was known as ministerial government (*sachivāyatta-tantra*). In normal times, however, power was shared by both and the administration was known as *ubhayāyatta*,[3] dependent equally both on the king and the ministry.

There is sufficient evidence to show that normally ministers were held in high regard by kings, and that their advice was followed by them. Nārāyaṇa, the foreign minister of the Rāshṭrakūṭa emperor, Kṛishṇa III, (950 A. D.) is described as his right hand;[4] king Parabala of Patharī (c. 850 A. D.) used to regard his minister as worthy of salutation by his own head.[5] A record of the Yādava king Kṛishṇa compares his prime-minister to his own tongue and right hand.[6] Another document of the same dynasty states that wealth of the country, the contentment and prosperity of its inhabitants and the increase in virtue and piety among the population all depend upon how the ministers discharge their duties.[7]

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1. सा मंत्रिता च यद्राज्यकार्यभारंकचिन्तनम् ।
   चित्तानुवर्तनं यत्तदुपजीवकलक्षणम् ॥ *Kathāsaritsāgara,* XVII. 46.
2. This was the view of Bhāradwāja. *Arthaśāstra,* Bk. VIII. Chap. I.
3. *Mudrārākshasa,* Act. III ; *Kathāsaritsāgara,* I. 58-9.
4. तस्य यः प्रतिहस्तोऽभूत्त्रियो दक्षिणहस्तवत् । *E. I..,* IV. p. 60.
5. परबलनृपतेर्मूर्ध्नि वन्द्यः प्रधानः। *E. I..* IX. p. 254.
6. यो जिह्वा पृथिवीशस्य यो राज्ञो दक्षिणः करः । *I. A., XIV,* p. 70,
7. राष्ट्रस्य पुष्टिः स्वजनस्य तुष्टिर्धर्मस्य वृद्धिः सकलार्थसिद्धिः ।
   नंदंति संतः प्रसरंति लक्ष्म्यः श्रीचंगदेवे सति सत्प्रधाने ॥ *I.A.* VII, p.41.

We had pointed out earlier how sometimes ministers were reduced to mere figure heads when kings were strong, able or self-willed, that is to say, when the state was king-centred (*rājāyatta*). The reverse used to be the case when kings were weak and ministers strong and capable, and able to work in a team-spirit. Tradition asserts that Chandragupta Maurya was completely in the hands of his prime-minister Kauṭilya. Aśoka's extravagant charity was opposed by his ministers, and eventually he could present only half an *āmalaka* fruit to the Church;[1] a *stūpa* was built over this valued gift which was seen by Yuan Chwang. This pilgrim further informs us how kings Vikramāditya of Śrāvasti had proposed to spend five lakhs daily in charity, and how he was opposed by his ministers; they pointed out how fresh taxes would have to be imposed upon people, when the treasury was emptied out by this procedure, and said, 'Your Majesty would indeed get credit for charity, but your ministers will lose respect of all'.[2]

In Pādāñjali Jātaka (No. 247) we find that ministers could successfully veto the accession of the heir-apparent Pādāñjali because he was lacking in intelligence and commonsense. These are more or less traditional accounts, but the *Rājataraṅgiṇī* gives historical instances showing the great powers wielded by ministers. The deposition of Ajayāpīḍa was due to the decree of his ministers Mamma and others (IV. 707). Śūra could become king because the crown was decided to be offered to him by the ministry, who had concluded that he was most qualified for it (IV. 715). When on his death-bed, king Kalaśa wanted to inaugurate his son Harsha as Yuvarāja, he could not do so owing to the determined opposition of his ministry (VII. 702). There is ample evidence to show that when a king died without leaving a competent heir, it was the ministry which settled the question of succession. When king Vijaya of Ceylon died, ministers took over the administration in their own hands till the return of his nephew from India after one year, when they duly invested him with the ruling powers.[3] It was the Maukhari ministers who offered the crown of Kanauj to Harsha.

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1. भृत्यैः स भूमिपतिरद्ध हृताधिकारः
   दानं प्रयच्छति किलामलकार्धमेतत् ॥ *Divyāvadāna*, p. 432,
2. Watters, Vol. I. p. 211.
3. *Mahāvaṁśa*, Chap. 9.

Generally speaking, however, in normal times and under normal administrations the ultimate responsibility of decision lay with the king,[1] but he was usually guided by the advice of the council of his ministers. The relations between the king and his ministers were also cordial. Kings had high regard for their ministers and confided in them to be as implicitly as in their own heart.[2] They regarded them to be as indispensable as their right hands and paid as much regard to their orders as to their own.[3] Kalhaṇa describes how king Jayasiṁha kept by the side of his ailing minister till the last moment of his life (VIII. 3329), and we need not suppose that this was an exceptional case.

Very often even powerful kings like Lalitāditya would leave standing instructions with their ministers that they should not execute their orders if they were unreasonable or given when they were not in their full senses; they would not fail to thank them for such disobedience.[4] Ministers on their part also were usually loyal to the king and also solicitous about the interest of the people. When king Jayāpīḍa had been imprisoned, one of his ministers committed suicide in order to enable the imprisoned king to escape by crossing the river over his bloated corpse.[5] In the Deccan we get many cases of ministers taking the vow to die with their kings and carrying it out when the occasion arose. Lakshama, a minister of Hoysala king Ballāla II, had taken this vow and when the king died, both he and his wife mounted a stone pillar and committed suicide by jumping down.[6] Inscriptions from Karṇāṭak refer to many such cases.[7]

Of course the combination of an appreciative and wise king and a devoted and capable minister between whom there

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1. धृतेऽपि मंत्रे मंत्रज्ञः स्वयं भूयो विचारयेत् ।
   तथा वर्तेत तत्त्वज्ञो यथा स्वार्थ न पीडयेत् ॥ *Kāmandaka*, XI. 60.
2. विश्वासे हृदयोपमम् । *J. B. B. R. A. S.*, XV. p. 5.
3. यो जिह्वा पृथिवीशस्य यो राज्ञो दक्षिणः करः । *I. A.* XIV. p. 70.
4. कार्य न जातु तद्वाक्यं यत्क्षीबेण मयोच्यते ।
   तान्युक्तकारिणोऽमात्यान्प्रशंसन्निति सोऽब्रवीत् ॥ *Rājataraṅgiṇī*, IV.320
5. *Rājataraṅgiṇī*, IV. 575.
6. *E. C.*, V. Belur, No. 12.
7. *E. C.*, V. Arkalgad, Nos. 5 and 27 ; *E. C.* VI. Kadur No. 146
   E. C., X. Kolar No. 129. Mulbagal Nos. 77 and 78 etc.

would never arise any misunderstanding and quarrel was an
ideal and rare one.[1] But the ideal was more frequently
approached in practice than we may be *prima facie* inclined
to believe. The available evidence shows that the ministry
usually exercised a wholesome influence upon the administra-
tion and though not constitutionally responsible to the people,
sought to protect and promote their interests and welfare to
the best of its ability.

कृतज्ञ: क्षांतिमान्क्षमाभृन्मंत्री भक्त: समयोज्झित: ।
अभंगुरोयं संयोग: सुकृतैर्जातु दृश्यते ॥
परस्परमनुत्पन्नमन्युकालुष्यदूषणौ ।
न दृष्टौ न श्रुतौ वान्यौ तादृशौ राजमंत्रिणौ ॥ *Rājatarhaginī,* V. 463-1

SECRETARIAT AND DEPARTMENTS

In the preceding chapters, we have already seen what were the powers and functions of the king and his council of ministers, who together constituted the brain centre of the government organism. But just as the brain can function through the instrumentality and cooperation of a number of senses and organs, so also the king-in-council requires the assistance of a central secretariat and the heads of a number of departments. We shall describe in the present chapter the organisation of the secretariat and of the different departments of the central government. Here again we have to observe that the data are very meagre; we shall have to generalise from a few disconnected facts that we can gather from different dynasties flourishing in widely different provinces and centuries.

The art of writing was either unknown or was not much in use in the Vedic period. It is therefore natural that a secretariat should not have been developed in that age. Government orders must have been orally issued by the king or the Assembly (*samiti*) and communicated to the outlying villages by messengers through the word of mouth. The states were usually small and this procedure could not have been found inconvenient. Of course there was no other alternative method as well.

We have no data to draw a picture of the secretariat, as it may have gradually evolved in the post-Vedic period. The art of writing was coming into more extensive use; kingdoms were developing into empires; functions of government were becoming more numerous; some kind of a Central Secretariat must, therefore, have existed in the courts of legendary kings like Yudhishṭhira and Jarāsandha, or historical emperors like Ajātaśatru or Mahāpadma Nanda. We however have no data to ascertain its nature.[1]

The *Arthaśāstra*, however, shows that the secretariat had developed into a full-fledged and well-developed organisation in the Mauryan period. The senior officers of departments

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1. It may be pointed out that Rome developed the Central Secretariat only in the days of Hadrian (2nd century A. D.). In India it was developed at least by the 3rd century B. C.

were called *lekhakas* or writers. These *lekhakas*, however, were not mere clerks, as one may perhaps be inclined to think. For, Kauṭilya lays down that the *lekhakas* were to be of the status of *amātyas*, whose position and pay were to be inferior only to those of ministers (*mantrins*).[1] The status of the secretariat officials (*lekhakas*) was equally high under the Sātavāhans; we often find them so rich as to construct and donate costly caves to Buddhist monks.[2]

The efficiency of the administration depended to a great extent upon the ability of the secretariat officers and the accuracy with which they drafted the orders of the Central Government. 'Government is writ and writ government'[3] says Kauṭilya; 'royalty does not reside in the person of the king but in his sealed and signed orders' says Śukra. We have already shown how in ancient as in modern times, ministerial appointments often went to senior and experienced secretaries of proved capacity. Government, therefore, used to take great care in the selection of the secretariat officers; they were required to possess almost as high qualifications as ministers, as far as education, ability and reliability were concerned. Above all they were to be experts in drafting; it was their business to listen to the oral orders of the king or ministers and to draft them properly and accurately in as short a time as possible. They were to look into the previous files, assure themselves that there was no contradiction of earlier views or orders and then frame the wording of the new communique, which was to be characterised by relevancy, completeness, sweetness, dignity and lucidity. Redundancy was to be avoided, facts were to be stated either in their chronological sequence or according to their importance; the description was to be impressive, and cogent reasons were to be adduced for the action that the government was taking.[4] When the communique was ready, it was to be shown to the minister or head of the department concerned and then submitted to the king for his final approval and signature. After the royal signature, the office used to seal the document and forward it to its destination.

It is very probably the high officials of the secretariat who are referred to by Greek writers as the members of the

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1. *Arthaśāstra*, Bk. II. Chap. 10.
2. *E. I.*, VII. Nasik inscriptions Nos. 16 and 17.
3. शासने शासनमित्याचक्षते । Bk. II., Chap. 10.
4. *Arthaśāstra*, Book, II., Chap. 10.

seventh class, consisting of councillors and assessors. To them belonged the highest posts of the government and they took prominent part in the administration of public affairs. Their class was small in number but distinguished for its superior wisdom and justice. Greek writers observe that this class enjoyed the prerogative of choosing governors, chiefs of provinces, deputy governors, superintendents of treasury and agriculture, generals of the army and admirals of the navy. It is thus clear that it was from out of the senior officials of the secretariat that these posts were usually filled.

We have unfortunately no information about the working of the secretariat in the Śuṅga, Sātavāhana and Gupta administrations. But we may well infer that it worked on lines more or less similar to those outlined above; for it was a regular feature of government even in Kashmir in medieval times, where the standard of administration was by no means high. The *Rājataraṅgiṇī* records several cases of royal orders being reduced to writing by the secretariat officers. The secretariat was known as *śrīkaraṇa* under the Chāhmānas[1] and Chaulukyas.[2]

The Chola records, as usual, give us most detailed information about the secretariat and its working. When the king used to pass his orders upon a matter, all secretariat officers connected with it used to be present on the occasion. The order was written out by one secretary and compared and attested by two or three others. It was entered into the necessary registers by the secretaries of the departments with which its subject matter was connected, and then dispatched to its destination in the moffusil.[3]

The secretariat had naturally a big record office. Ordinary or routine orders were not naturally preserved for a long time, but those which granted lands or assigned revenues were kept with great care for future reference. Sometimes donees wanted to exchange villages; original grants had to be consulted and amended on such occasions.[4] In all cases of land grants, therefore, the entry of the

1. *E. I.*, III. p. 206.
2. *E. I.*, IX., p. 64.
3. No. 185 of 1915.
4. For such a case under the Paramāras, see *E. I.*, II. p. 182.

transaction was made at the secretariat as soon as possible; the delay in this connection was regarded as irregular and officers responsible for it were censured.[1] Ordinary individuals had to pay a fee for registering transfers of property in the secretariat registers; king Yaśaskara of Kashmir could detect a fraudulent transaction on account of the unusually high fee paid when it was registered at the secretariat.[2]

Inspector-General of records, who was in charge of the Record Office, was called *akshapaṭalika* or *mohākshapaṭalika* in the Gāhadwāl[3] and Chaulukya[4] administration. It is but natural that he should be sometimes found composing the copper plate charters.[5]

One of the most important duties of the Central Government and secretariat is the supervision and control of the provincial, district and local administrations. Let us now see how this work was done in ancient India.

Tours of inspection have been recommended to the king and his officers by several writers. Manu observes that royal officers have a natural tendency to be corrupt and oppressive; the king should, therefore, go on tours every now and then to find out whether people are pleased or displeased with them.[6] Śukra recommends annual tours for this purpose, during which the king or the higher officers should visit all villages and towns to ascertain first hand their real condition and the feelings of their residents.[7] These recommendations were followed in practice; we find many of the charters issued when the kings were on tours in the different sections of their dominions.

The Central Government used to have its own reporters and informers to keep it in touch with the developments in the provinces.[8] These appear to have acted independently of the officers of the local government. Local officers were

1. *Rājataraṅgiṇī*, V. 397-8. In the case of one Chola grant, there was a delay of 12 years, probably due to disturbed conditions created by foreign invasion. *S. I. I.*, III. p. 142.
2. *Rājataraṅgiṇī*, VI. 38.
3. *E. I.*, XIV., p. 193.
4. *I. A.*, VI. p. 194.
5. *I. A.*, XI. p. 71.
6. VII. 122-4. Cf. also *Arthaśāstra*, Bk. II. Chap. 9.
7. I. 374-5.
8. *Yāj.*, I. 338-9; *Arthaśāstra*, Bk. I. Chaps. 11-12.

often summoned to the capital for explanation, when reports about them were not satisfactory.

Many governments used to appoint special inspection officers. Thus under the Kalachuris of Karnātak there used to be five imperial censors, known as *karṇams*, who are described as five senses of the Supreme Government. It was their duty to see that public funds were not misappropriated, justice was properly administered and sedition promptly punished.[1]

The Chola government used to send every year its special inspectors and auditors from the central secretariat to check the accounts of temples and local bodies. It is quite likely that what the Kalachuri and Chola governments did was usually done by other governments as well. A Pratihāra record, for instance, incidentally refers to the visit to Ujjayinī of a touring officer, who is seen investigating into certain affairs as desired by the king.[2]

The decisions of the central government were communicated to the local authorities by the secretariat through its special messengers. The work being responsible, was usually entrusted to high officers. They are described in the Deccan Vākāṭaka records as *kulaputras* (youths of noble birth), who carry the commands of the Central Government.[3] The Pallava records of south India call them premier's messengers.[4] An Assam officer of this service proudly describes himself as one who had conveyed hundreds of royal commands.[5]

The reader, it is hoped, will get a fair idea from the foregoing account of the manner in which the Central Government and secretariat tried to supervise and control the provincial and local administration.

We now proceed to consider the different departments, their officers and their functions. The departments were presided over by heads, who were called *adhyakshas* in the Mauryan age and *karmasachivas* in the Śaka administration. Curiously enough Smṛitis refer to them in a very general and vague way;[6] it is the *Arthaśāstra*, which supplies detailed information, which is very largely confirmed by inscriptions.

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1. *E. C.*, VII. Shikarpur Nos. 102 and 123.
2. *E. I.*, XIV. pp. 182-88.
3. *E. I.*, XXII. p. 167.
4. *I. A.*, V. p. 155.
5. *E. I.*, XI. p. 107.
6. *Manu*, VII. 81; *Yāj*. I. 322.

Modern governments usually differentiate between the head of the department and the minister in charge of it. This distinction is primarily due to the ministers being drawn from among the eminent persons in public life, returned by the electorate to the council or parliament. In ancient times however it did not exist in most countries. In ancient India we sometimes find a minister rising to the position of a commander-in-chief; thus Pṛithvīsheṇa, who was first only a minister, later became commander-in-chief under Kumāra-gupta I.[1] It is very likely that the chief justice and the minister for law, the commander-in-chief and the minister for war, were not always different.

The number of departments must have been naturally few in early times or in small states. The *Vishṇusmṛiti* refers to only four of them,—mines, customs, ferry and elephants.[2] In pre-historic Kashmir the number of departments was only seven; one of the reforms introduced by Jalauka, the son of Aśoka, was to increase their number to 18. This number was raised to 23 by king Lalitāditya about ten centuries later.[3] The epics usually refer to eighteen departments only, which are called *tīrthas*.[4] Their names, however, have not been given; they have to be gathered from the commentators who flourished several centuries later, and whose explanations therefore may not be quite reliable. The *Arthaśāstra* also refers to this traditional number of departments,[5] but it does not hesitate to increase their number by five or six. The number of departments contemplated by Śukra seems to be twenty.[6]

Epigraphs disclose some further departments not mentioned by the Smṛiti or *nīti* writers. It would be inconvenient and tedious to enumerate these departments as they are given in our source books. We shall, therefore, group them together under the heads of administration well-known to the modern reader.

1. *E. I.*, X. p. 71.
2. III. 16.
3. *Rāj.* I. 118-20; IV. 141. ff.
4. *Rāmāyaṇa*, II. 100. 36; *Mbh.*, IV. 5. 38.
5. Bk. I. Chap. 8. Book II, describing the functions of the different departments, is known as अध्यक्षप्रचार. It was well-known for a long time and is referred to in medieval inscriptions. Cf. अन्यांश्च   सकलराजपादोपजीविनोऽध्यक्षप्रचारोक्तानिहाकीर्तितान् । Betwa Plates of Bhoja, *E. I.*, XII. p. 40; Barrackpur plates of Vijayasena, *E. I.*, XV. p. 283.
6. II. 117.

Monarchy being the normal form of government, the department of the Royal Household may well engage our attention first. The palace and its precincts were in charge of a trusted and experienced officer called *āvasathika* in Bengal[1] and *saudhagehādhipa* by Śukra.[2] The ingress into and the egress from the palace and royal camp were naturally controlled very strictly by an officer known an *dvārapāla*; passports were usually necessary for this purpose which were issued by an officer known as *mudrādhipa*. Visitors and ambassadors were ushered into the royal presence by an officer known as *pratīhāra* or *mahāpratīhāra*. The king had a bodyguard of his own, the English term being almost the same as the Sanskrit word *aṅgarakshaka*;[3] sometimes its variation *śirorakshka*[4] was also in vogue. This officer was called *aṅganigūhaka* in the Chaulukya administration.[5] There was a comptroller of Royal Household known as *sambhārapa*; the officers in charge of the royal treasury, kitchen (*pākādhipa*), museum and menagerie[6] must have worked under him. The management of the kitchen was a very responsible duty; the officers had to take particular precautions to see that no attempt was made to poison the king.

There used to be a royal physician at the king's court corresponding to the royal surgeon of modern times. He figures in the Gāhadwāl records,[7] and is probably referred to as *ārāmādhipa* by Śukra.[8] When astrology became popular after *c.* 600 A. D., the court used to maintain a royal astrologer also, whose advice was often taken when starting on a military expedition. This officer figures in the records of the Gāhadwāls, the Yādavas, the Chāhamānas and the Chaulukyas.[9] Poet-laureates used to be maintained at the royal courts since very early times. Most of the famous Sanskrit poets were connected with one court or another. A large number of learned men also got some kind of preferment or other at the royal court or in the king's administration.

1. Majumdar, *History of Bengal*, p. 284.
2. II. 119.
3. Majumdar, *History*, p. 285.
4. *Ibid.*, p. 285.
5. *Bhavanagar Inscriptions*, p. 158.
6. *Śukra*, II. 117-120.
7. *E. g., I. A.,* XVIII. p. 17.
8. II. 119.
9. *I. A.,* XVIII. p. 17; *E. I.,* I. p. 343; *I. A.,* XIX. p. 218,

The management of the harem was entrusted to a special officer known as *kañchukin*. He was usually old in age and enjoyed great confidence of the king.

Military department was undoubtedly the most important department, the expenditure on the fighting forces often being as high as 50% of the central revenues.[1] The head of the department was variously known as *senāpati*, *mahāsenāpati*, *mahābalādhikarita*[2] or *mahāprachaṇḍadaṇḍanāyaka*[3] in different times and administrations. *Mahāvyūhapati*, corresponding to the modern chief of the staff, worked under him.[4] The army consisted of four arms, infantry, cavalry, elephant corps and chariot corps;[5] they were under the immediate charge of four officers known as *pattyadhyaksha*, *aśvapati* (also *bhatāśvapati and mahāśvapati*), *hastyadhyaksha* (also known as *mahāpīlupati* under the Guptas) and *rathādhipati*.[6] *Aśvapatis* and *rathapatis* had masters of stables under them, who were known as *Sāhaṇiyas* in Rajputana under the Chāhamānas.[7] *Daṇḍanāyakas*, who figure frequently in Gupta inscriptions,[8] seem to have been officers of the status of colonels, stationed in different districts in charge of the local units. The army had its own quarter-master-general as in modern times to look after the commissariate department; his office was known as *raṇabhāṇḍāgārādhikaraṇa* under the Guptas.[9] *Āyudhāgārādhyaksha*, who was in charge of the weapons of the forces, must have worked under him. The same must have been the case with the officer in charge of elephant-forces, who had to supply elephants to the army. Forts constituted an important link in the scheme of national defence. Each of them was in charge of an officer variously known as *durgādhyaksha*

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1. *Śukra*, I. 316-7; see also Chap. XII.
2. Under the Parivrājakas, 5th century; *C. I. I.*, III. p. 108.
3. In the Deccan, under the Yādavas; *I. A.*, XII. p. 120.
4. *History of Bengal*, p. 288.
5. Chariots which were most important in the Vedic period are hardly ever mentioned in the *Harshacharit*. Elephants which hardly played any part in the Vedic and epic battles, later assumed very great importance; Cf. हस्तिप्रधानो विजयो राज्ञाम् । *Artha.* II. 2. नागेषु हि क्षितिभृतां विजयो निबद्ध: । Kāmandaka, XIX. 62.
6. *Arthaśāstra*, Bk. II.; *Śukranīti*, I. 117-120; *A. S. I., A. R.* 1903-4, pp. 107 ff. All these officers figure with slightly varying titles as late as the Gāhadwāl period; *E. I.*, XIV. pp. 193-6.
7. *E. I.*, XI. p. 29.
8. *E. g.*, in Bhita seals, *A. S. I., A. R.*, 1911-2, p. 152.
9. *A. S. I., A. R.*, 1903-4, pp. 107 ff.

or *koṭṭapāla*; probably there was an inspector general of forts at the capital. *Dvārapālas* or wardens of the marches kept watch over the frontier and the roads and passes leading to the kingdom. They worked in close cooperation with the superintendents of forts in their vicinity. Very often the same officer worked in both capacities, as was the case under the Pratīhāras at the fort of Gwalior whose commandant was also *maryādādhurya*, or 'the officer in charge of boundary.[1]

In the 19th century the Indian army used to be organised and located territorially; there was the Bombay Army, the Madras Army and the Northern Army. Such an organisation was almost inevitable in the pre-railway period. In ancient times also the big empires like those of the Pratīhāras used to have a southern army to watch the Rāshṭrakūṭas, an eastern army to check the Pālas and a western army to oppose the Muslims. The same principle is known to have been followed by the Rāshṭrakūṭas.[2] The Mauryas and Guptas must have followed the same principle, although we have no definite evidence on the point at present.

One Rāshṭrakūṭa record refers to an officer who is described as a marvel in training horses.[3] It is clear that the training of the fighting forces was the special duty of a section of the army officers. Not much training must have been required in the case of *maula* or hereditary forces, which formed the crack divisions of the ancient Indian army. In their case fighting was the hereditary profession and soldiers were paid by assignment of villages.

The army had naturally its own compliment of doctors, nurses and ambulance staff, fully equipped with instruments, bandages, medicines and ointments. The ambulance corps rarely figures in inscriptions but is referred to by the *Artha-śāstra*.[4] It is known to have formed part of the Kashmir army.[5] Veterinary doctors for the army are mentioned in the *Vishṇudharmottara Purāṇa* (V. 26. 278).

1. *E. I.,* I. pp. 154-60.
2. *Rāshṭrakūṭas,* pp. 247-48.
3. *Ibid.,* p. 252.
4. चिकित्सका: शस्त्रैयंत्रागदस्नेहहस्ता: स्त्रियश्चान्नपानरशिण्य: पृष्ठ-
तस्तिष्ठेषु: । Bk. X. Chap. 3. उपातिष्ठन्नथो वंद्या: शल्योद्धरण-
कोविदा: । *Mbh.,* VI. 120-55; see also XII. 95-12.
5. VIII. 741.

The corpse of sappers, miners and labourers was as indispensable as the ambulance organisation. It is referred to by Kauṭilya (Bk. X. Chap. 4) as a service whose duty it was to examine camps, roads, bridges, wells and rivers. It must have had its own superintendents and officers. ✓

The enemies whom Indian states had to face usually operated with land forces; many kingdoms had no coast line at all. Navy, therefore, rarely figures in Smṛitis and inscriptions. The Mauryas had a naval force administered by a board of its own. The Vaṅgas of Bengal were known as a naval power to Kālidāsa,[1] and the Pālas also used to maintain a strong naval force.[2] Tamil states since early days had their own navies, powerful enough to protect their extensive trade with the West and the East. In the 11th century the Cholas had a powerful navy, which enabled them to conquer a number of islands. The Śilāhāras of western India had also naval forces of their own. We, however, possess very little information about the organisation of the navy and its administration.

The department of foreign affairs was in charge of a minister known as mahāsandhivigrahika in inscriptions and dūta in Smṛitis. Usually it had to deal with a large number of feudatories and foreign powers, and so its work was divided among several officers who worked under the Foreign Minister. As usual, the Foreign Minister had a large staff of the intelligence department under various guises in different countries, members of which used to send their reports to their chief. Mahāmudrādhyaksha and his subordinates, who granted passports to foreigners for entering the country, must naturally have worked under the supervision of this department. The same must have been the case with the officers in cities like Pāṭaliputra, whose duty it was to watch the movements of the foreigners residing in the country.

The Revenue Department, which was under a cabinet minister, had a large number of superintendents working under it. One was in charge of the crown-lands. He was called sītādhyaksha and his duty was to cultivate them either directly through labourers or indirectly through tenants by

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1. Raghu., IV. 36.
2. Majumdar, History of Bengal, p. 286.

leasing them out.[1] A second superintendent was in charge of forests and is styled as *araṇyādhikrata*[2] in Pallava records and *āraṇyādhyaksha* in Smṛitis. It was his duty to develop the forest resources of the state. Superintendents of the state herds (*godhyakshas*)[3] consisting of cows, buffaloes and elephants, for whose grazing a portion of the state forests was assigned, must have worked in close cooperation with the superintendent of forests. In pre-historic times herds constituted a very important item of the wealth of the state; in historic times also it did not neglect this source of income. These officers figure as *gokulikas* down to the 12th century in some Paramāra and Gāhaḍwāl records.[4] There was also a superintendent of waste lands (*vivītādhyaksha*),[5] whose duty it was to develop and sell them, and also to prevent them from being used by undesirable persons for their nefarious ends. The superintendent of land records, usually called *mahākshapaṭalika*, who kept an accurate record of the different fields and their boundaries, must have worked under the supervision of the revenue department. Officers working under this superintendent are known as *sīmakarmakara*[6] in Bihar, *Pramāṭṛis*[7] in Bengal and *sīmāpradātās* in Assam.[8] The principal tax collected by the Revenue Department was the land tax; its officers, who collected it, were sometimes known as *shashṭhādhikṛitas*[9] and sometimes as *audrangikas*.[10] The land tax being usually collected in kind as a certain share of the actual produce, the revenue department had to employ a large army of officers to supervise its collection; they were known as *dhruvas* in Gujarat.[11] Some taxes were also collected in cash; the officers entrusted with this work were known as *hiraṇyasāmudayikas* in Bengal.[12]

When the work of the Revenue Department terminated, that of the Treasury Department commenced. It was much

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1. *Arthasāstra*, Bk. II. Chap. 24.
2. *E. I.*, I. p. 7.
3. *Arthasāstra*, Bk. II. Chap. 29.
4. *E. I.*, XIX. p. 71; XIV. p. 193.
5. *Arthasāstra*, Bk. II. Chap. 34.
6. *C. I. I.*, III. p. 216.
7. *History of Bengal*, p. 286.
8. *E. I.*, XI. p. 107.
9. *History of Bengal*, p. 278.
10. *Ibid.*, p. 284.
11. *C. I. I.*, III. p. 168.
12. *History of Bengal*, p. 277.

more arduous in ancient times, for it was not merely the question of striking a bank balance and keeping the bullion in safe custody. A good deal of the state revenue was collected in kind,—corn, fuel, oil, etc.—, and careful steps had to be taken to keep the stock properly and renew it period-ically, so that old articles may be replaced by new ones. The head of the Treasury Department was known as *koshā-dhyaksha*[1] and a number of superintendents worked under him. Among them the officer in charge of the granary, known as *koshṭhāgārādhyaksha*,[2] was most important.

It was the uniform policy of the ancient Indian state to have a full and flowing treasury by insisting upon the allocation of a large percentage of the annual revenues to the Reserve Fund or Treasury, which was never to be touched except on occasions of grave calamities. The treasury superintendent, therefore, had large quantity of bullion, diamonds and jewels under his custody.

Officers of the finance department in charge of the allotment of revenues rarely figure in Smṛitis or inscriptions. They are referred to as *vyayādhikāṛins* or *kṛityākṛityeshu artha-niyojakas* by the commentator of the *Mahābhārata*.[3] It appears that the king, the premier and the *dānādhipati* (minister for charity) jointly performed the duty of the finance department. In the Chaulukya administration, however, there was a separate officer in charge of disbursements known as *vyaya-karaṇamahāmātya*.[4]

The activity of the ancient Indian state in the realm of industry and commerce was considerable and the department in their charge engaged a large staff to supervise and carry on its activities. Cloth industry was the most flourishing industry of the country and the state used to have its own weaving department, partly as a means of poor relief and partly as a source of revenue. The employees of this department used to send cotton to the homes of weak and destitute persons, and get the yarn spun through them at agreed rates.[5] Of course the department must have had its own compliment of

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1. Śukra (II. 118) calls him *vittādhipa*.
2. *Arthaśāstra*, Bk. II. Chap. 34. He is called *dhānyādhyaksha* by Śukra (II. 117-120) and *bhāṇḍāgārādhikṛita* in inscriptions (*E.I.*, XI. p. 107).
3. On II. 5. 38.
4. *J. B. B. R. A. S.*, XXV. p. 322.
5. *Arthaśāstra*, Bk. II. Chap. 23.

able-bodied workers as well. The officers of this department are designated as *sūtrādhyakshas* by Kauṭilya and *vastrādhya-kshas* by Śukra (II. 119). The state used to have its own distilleries, which were under the charge of *surādhyakshas*.[1] Private persons were also allowed to manufacture wines under licenses on the payment of prescribed fees. It was the duty of the officers of this department to supervise the drinking houses and to see that no cheating was practised in their premises. The state also tried to control prostitution through another department, whose officers were known as *gaṇikā-dhyakshas*.[2] Prostitutes were required to give full information about the persons who visited them; it often helped the police department to detect crimes. They were also used as spies and often sent to other states in that capacity; very often feudatories were compelled to entertain some dancing girls of the imperial court at their capitals. In big towns there used to be state slaughter houses, where animals could be slaughtered, of course after the payment of a fee. There was a prohibition against the slaughter of calves, bulls and cows. Superintendents of slaughter houses used to be appointed to supervise the arrangement in this connection. They were also to see that animals in the game forests were not killed by outsiders.[3]

The state claimed proprietary rights in all the mines. It had a special department, which engaged geologists and metallurgists to examine the prospective sites. The state would itself work out such mines as appeared promising and give the rest to private industrialists, who were required to surrender a certain portion of the mineral yields to the state as its royalty.[4] The officers of this department figure as late as in the Gāhadwāl records.[5]

Sometimes states used to license goldsmiths for the manufacture of silver and golden wares and ornaments. Coinage also was entrusted to them when the state cared to issue it. This department was under a superintendent known as *suvarṇādhyaksha*.[6]

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1. *Arthaśāstra*, Bk. II. Chap. 25.
2. *E. I.*, VI. p. 102.
3. *Arthaśāstra*, Bk. II. Chap. 26.
4. *Arthaśāstra*, Bk. II. Chap. 12.
5. *E. I.*, XIV. p. 193.
6. *Arthaśāstra*, Bk. II. Chap. 13, *History of Bengal*, p. 282; *E. I.*, XIII. p. 239.

Department of commerce also required a large number of superintendents. In the first place markets themselves were in charge of government officers, called *paṇyādhyakshas* in the *Arthaśāstra*, *haṭṭapatis* in Bengal and *drāṅgikas* in Kathiawar.[1] It was their duty to put the government products in the market under favourable condition, to organise the import of goods required in the locality and to supervise their sales at reasonable rates and to export merchandise when this could be done at a profit. Rates were also controlled by them and cornering of articles was prevented.

This department also engaged a number of toll superintendents (*śulkādhyakshas*).[2] Their offices were naturally located at the town gates, where all merchandise had to be shown for the assessment of toll dues before it was imported into the town for sale. Sometimes the sales were effected the toll office itself. Superintendents had the power to punish different kinds of frauds usually practised by cunning merchants to escape the customs duties. There were also superintendents of weights and measures, who tested and stamped the weights used in the market.[3] It is quite likely that the duties of the superintendents of the market, the tolls and the weights and measures may have been combined in one officer in small places. In villages, the headman alone may have probably discharged these duties.

Let us now pass on to consider the organisation of Judicial Department. King was the fountain source of Justice and was expected to decide all cases brought before him either at the first instance or in appeals. He often discharged this duty himself, but when he was too busy to attend to it, the Chief Justice (*prāḍvivāka*) deputised for him. The state policy, however, was to encourage decentralisation in the department; the village *panchāyats* and town councils were not only encouraged but required to try and decide all local civil cases. Complainants were not permitted to file their suits at the first instance in the official courts. This naturally reduced the volume of the work of government courts. It is therefore but natural that the royal courts should figure rather rarely in inscriptions. Government courts also

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1. *Arthaśāstra*, Bk. II, Chap. 16.

2. *Ibid.*, Bk. II. Chap. 21. They are called *śaulkikas* in Pāla and Paramāra records. *E. I.*, XIX, p. 71.

3. *Ibid.*, Bk. II, Chap. 9.

existed in important towns and cities and are referred to both by Nārada and Bṛihaspati.[1] They were known as *dharmā-sanādhikaraṇas*[2] in the Gupta administration and were situated in big towns only. Presiding judges were called *dharmā-dhyakshas* or *nyāyakaraṇikas*.[3] Whether the *dharmalekhins*, who figure in some Chandella records,[4] were judges or pleaders who wrote the complaints, it is difficult to say.

The Chief Justice had to be well grounded in Smṛiti literature; it is therefore no wonder that sometimes the royal chaplains, who were often well grounded in it, were appointed to the post. Such was the case under the Chandella king Dhaṅga in 1003 A. D.[5] Petty criminal cases were tried by local bodies, but serious ones were decided in royal courts. Judges of the criminal courts were probably known as *daṇḍā-dhyakshas*. It is rather strange that jail officers should figure so very rarely both in Smṛitis and inscriptions. This may be probably due to imprisonments being not quite common. It appears that fines were more usually imposed; officers in charge of their collection are designated as *daśāparādhikas* in some Pāla records.[6]

The officers of the police department are usually referred to in inscriptions as *choroddharaṇikas* 'the exterminators of thieves', or *daṇḍapāśikas* 'the carriers of nooses to catch (thieves)'. The latter designation occurs in Pāla, Paramāra and Pratīhāra records.[7] Higher officers of this department do not figure in epigraphs. It is not unlikely that their duties may have been entrusted to the officers of the military department, who were stationed at different centres of the kingdom to preserve law and order. We should not forget that ordinary thefts were very unusual; only desperadoes attempted to commit dacoities and carry away cattle and property. They could be effectively dealt with only with the help of the militia or military forces. The village headman was the chief police officer of the village and had the village militia under his control. When, however, desperadoes and

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1. I. 26-31,
2. *A. S. I., A. R.,* 1903-4 p. 107 ff.
3. In Assam, 7th century, *E. I.,* XI. p. 107.
4. *I. A.,* XVI. p. 208; *E. I.,* IV. p. 160; X. pp. 47-49.
5. *E. I.,* I. pp. 140 ff.
6. *History of Bengal,* p. 285.
7. *Ibid.,* p. 285; *E. I.,* XIX. p, 73; *E. I.,* IX. p. 6. Sometimes they appear to have been called *daṇḍoddharaṇikas* also; *E. I.,* IX. p. 6.

dacoits could not be effectively dealt with by the local force, police and military soldiers were sent to apprehend them. When they came for this work, the townsmen and villagers had to meet their boarding and lodging expenses. Donees of *agrahāra* villages were usually exempted from this liability. The state was ultimately responsible for making up all losses due to thefts. It fastened this liability upon the village community, if it could not prove that the thieves had escaped out of the village. If they could be proved to have taken shelter in another village, the responsibility was shifted to it. If it appeared that the thieves had taken shelter in forests or waste lands, their superintendents were called upon either to apprehend them or to make up the loss. If the responsibility could not thus be shifted, the state had to compensate itself.

What may be conveniently designated as the ecclesiastical department must now engage our attention. The royal chaplain (*purohita*) and the minister known as *paṇḍita* were both concerned in directing and supervising its different activities. The state in ancient India was the preserver of religion and morality and the different steps that were to be adopted in this connection were taken under the guidance and advice of these officers. If certain socio-religious customs became obsolete, they were discouraged; if new changes were necessary and deemed desirable by public opinion, learned Brāhmaṇas were requested to compose new Smṛitis, commentaries or digests, advocating the needed changes, which were encouraged and gradually enforced.

The officers of this department were known as *dharma-mahāmātras* under the Mauryas, *śramaṇamahāmātras* under the Sātavāhanas, *vinayasthitisthāpakas* under the Guptas and *dharmā-ṅkuśas* under the Rāshtrakūtas. Their duty was to encourage all religions impartially; no distinction was usually made between the followers of Hinduism, Buddhism and Jainism when distributing state patronage. The officer directly in the charge of state grants for religious purposes is called *dānapati* by Śukra (II. 119). Learned Brāhmaṇas, Buddhist monasteries and Hindu temples and *maṭhas* which usually received these grants, used to organise schools, colleges, hospitals and poor houses. The donations given by the state to them may to a certain extent well be regarded as grants in aid of hospitals, education and poor relief as well. The villages assigned to temples, monasteries and learned Brāhmaṇas

became fairly numerous from *c.* 400 A. D.; a special officer came to be appointed to look after their administration. He is called *agrahārika* in the Gupta and Pāla records.[1] It was his duty to see that there were no difficulties created in the enjoyment of grants given to the donees. If intervening anarchy had interfered with their enjoyment,[2] the possession was to be restored. Very often conditions were imposed when grants were given; in some cases they were tenable only as long as the recipients or their descendants continued to be learned and pious scholars. The *agrahārika's* duty was to see that these conditions were duly fulfilled. Sometimes counterfeit grants were produced by fraudulent Brāhmaṇas;[3] it was the duty of this officer to detect and punish the fraud. In south India, the Chola administration used to send special auditors to see that temple funds and properties were duly utilised.

We have now finished the survey of the different departments and their activities. It will not be correct to maintain that all these departments existed even among the tiny feudatory states that existed by the dozen in ancient India. But the evidence adduced will make it clear that most of them existed in the administrations of moderate-sized states of the ancient period. The evidence of the *Arthaśāstra* is strikingly confirmed by the data of inscriptions in several respects.

In conclusion, we shall say a few words about the recruitment of officers to these different departments. Many of them, e. g., those who worked in the commerce or mining departments, required high technical qualifications and Smṛitis emphasise that only those who were specially qualified for them should be appointed after a thorough test.[4] Śukra goes a step further and suggests that the state should give scholarships for training young men for the different technical posts.[5] Birth and high connection must have counted then,

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1. *C. I. I.*, III. p. 49; *History of Bengal*, p. 284. The view that *agrahārika* can be the donee of the *agrahāra* village is untenable; in Bihar stone inscription (*C. I. I.*, III. p. 49) the term appears in a passage, which enumerates different officers; it should therefore denote a government officer.

2. For such a case under the Pratīhāras, see *E. I*, XIV. pp. 15-17; for a similar case under the Chāhamānas, see *E. I.*, XI. p. 308.

3. For such a case under the Gāhaḍwāls, see *J. A. B. S.*, VI. 547-48.

4. यो यद्वस्तु विजानाति तं तत्र विनियोजयेत् *Kāmandaka*, V. 76.

5. सर्वविद्याकलाभ्यासे शिक्षयेद्भूत्तिपोषितान् ।
समाप्तविद्यं तं दृष्ट्वा तत्कार्ये तं नियोजयेत् ॥ I. 317.

as they count now, in the selection to posts where no special training was necessary;- the subsequent career must have depended largely on the merit of the new entrant.

Whether there were grades of service like the Imperial, Provincial and Subordinate services of the modern times, we do not know. It, however, appears very probable that the *mahāmātyas* of the Mauryan age or the *kumārāmātyas* of the Gupta period formed a class of officers, similar to the modern I. C. S. or I. A. S; the members of this class used to serve sometimes as district and divisional officers, sometimes, as secretariat officials and sometimes as cabinet ministers. Persons who belonged to this service were usually of high birth, often recruited from the members of ex-royal families, which had been superseded by the empire. Their posts often used to become hereditary, as those of the ministers.

Officers of the status of provincial and subordinate grades of the modern time were probably recruited from local areas; means of transport being slow and unsatisfactory, their transfers could not have been common. The system of paying these officers by the assignments of lands or of government revenues must have made many of these posts in non-technical lines hereditary.

CHAPTER X

PROVINCIAL, DIVISIONAL, DISTRICT AND TOWN ADMINISTRATIONS

Before we consider the provincial, divisional and district administration, it would be necessary to understand the scheme of territorial divisions in vogue in ancient India. It has to be observed at the outset that there was no uniformity in this respect. As in modern so in ancient days, some districts and divisions were small, while others were large. This was partly due to difference in population and fertility and partly to political causes. If a feudatory had a small fief, which was later annexed to an empire, it would normally constitute a separate and, therefore, a small district. On the other hand, a frontier district may become large owing to gradual enchroachment and expansion. The growing importance of a place would also lead to the incorporation of larger number of villages in it; thus Karhāṭaka district (*vishaya*) in Mahārāshṭra had 4000 villages in it in 768 A. D. but 10,000 in 1054 A. D.

Small kingdoms like those of the Pallavas, the Vākāṭakas and Gahaḍwāls had naturally fewer varieties of territorial divisions than big empires. In their case we usually find reference to only one territorial division, the district, variously called *vishaya* or *rāshṭra*.[1] The administrative divisions of a big empire like the Mauryan one were almost similar to that of the Indian empire to-day. It was divided into provinces often as big as any in modern India. These provinces were divided into Divisions, whose heads, like the modern Commissioners, ruled over several lakhs of people. The Divisions were divided into districts or *vishayas* and the latter into subdivisions variously termed as *paṭhakas*, *peṭhas* or *bhuktis*. These latter were divided into smaller groups of villages, each one containing from 10 to 30 or 40 villages.

Ancient Indian history extends over several centuries, and we need not be surprised if we do not find a uniformity in the nomenclatures of the different territorial and administrative divisions in the various kingdoms flourishing in different centuries and provinces. Thus *bhukti* denoted administrative division even smaller than a modern Tehsil or Taluka in the

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1. *E. g.*, *E. I.*, XXIV. p. 260; *E. I.*, XV. p. 257; *E. I.*, IX. p 304.

Deccan and C. P., but in northern India under the Guptas and Pratīhāras it denoted a unit as large as the Commissioner's Division in modern times. Thus *Pratishṭhānabhukti* consisted of only 12 and Koppārakabhukti of 50 villages in the Deccan under the Rāshṭrakūṭas,[1] whereas under the Guptas the Puṇḍravardhanabhukti comprised of the districts of Dinajpur, Bogra and Rajshahi, and Magadhabhukti included the districts of Gayā and Pāṭaliputra.[2] Śrāvastībhukti under the Pratīhāras included several districts in northern U. P. *Rāshṭra* was used in literature to denote a kingdom, but it was the name of a Commissioner's Division under the Rāshṭrakūṭas.[3] In south India, however, under the Pallava, Kadamba and Sālankāyana administrations, it denoted only a district, if not a Tehsil.[4] Sometimes, these terms were used with a certain amount of looseness; thus one Rāshṭrakūṭa document describes Nasik as a *vishaya*, and another issued only 29 years later calls it a *deśa*.[5] It would, therefore, be dangerous to draw a precise and *prima facie* conclusion about the extent of an administrative division merely from its name.

Provincial Government

Provincial administrations in the modern sense of the term existed only in big kingdoms. The Mauryan empire was divided into several provinces. Five of them are known at present, Uttarāpatha, Avantirāshṭra, Dakshiṇāpatha, Kaliṅga and Prāchya with Taxila, Ujjayinī, Suvarṇāgiri, Tosali and Pāṭaliputra as their respective capitals. It is not unlikely that Uttarāpatha and Dakshiṇāpatha may have had several provinces under them. Under the Śuṅgas, in the beginning at any rate, the administration of Mālwā had the status and powers of a provincial government. The Kaṇva kingdom was probably too small to have any viceroys. The Sātavāhana empire extended over the whole Deccan, but we know very little about its provincial administration. The status of *mahākshatrapas* ruling at Benares, Mathurā and Ujjayinī in the empire of Kanishka was undoubtedly similar to that of provincial governors. In the Gupta empire, Kathia-

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1. *Rāshṭrakūṭas*, p. 137; see also *E. I.*, XXV. p. 265.
2. *E.J.*, XV. pp. 129 ff. When the *Mitāksharā* on *Yāj*. I. 319 states that only a king can make the grant of land and not a *bhogapati*, it is obviously referring to the head of this large territorial division.
3. *Rāshṭrakūṭas*, p. 136.
4. *E. I.*, XV. p. 257; *E. I.*, XVI. 271; *I. A.*, V. p. 175.
5. *Rāshṭrakūṭas*, p. 137.

war, Mālwā and Gujarat had provincial administrations. In
the home territories of the Rāshṭrakūṭa empire, there do
not seem to have been any officers with the viceregal status,
but Gujarat, Banavāsi and Gaṅgavāḍī, which were new
additions to the empire, had viceroys to govern them.
The *Bhuktis* under the Pratīhāra empire appear to have been
rather Commissioners' Divisions than provinces. The Pālas,
the Paramāras, the Chaulukyas, the Chandellas, the Gahad-
wāls and the Cholas ruled over relatively smaller kingdoms;
the bigger ones amongst them like the Cholas had two
grades of administrative divisions, *maṇḍala* which was roughly
equal to about two or three modern districts, and *nāḍu*, which
usually covered two Tehsils. Smaller kingdoms were divided
only into districts and their sub-divisions.

Heads of the provincial administrations were officers
of very high status. Very often princes of the blood royal
were appointed to them. Thus under the Mauryas, Bindusāra,
Aśoka and Kuṇāla had all served as viceroys in the different
provinces of the empire;[1] under the Śuṅgas, the crown prince
Agnimitra was serving as viceroy in Mālwā;[2] Ghaṭotkacha-
gupta, the Gupta viceroy of the same province in *c.* 435, was
a prince of the royal family. The Gujarat viceroys under
the Chālukyas and Rāshṭrakūṭas were scions of the royal
family, who eventually managed to establish practically
independent houses. The province of Gaṅgawāḍī in the
Rāshṭrakūṭa empire had the emperor's eldest son as viceroy
in *c.* 790 A. D. Of course princes of the blood royal were not
always available for appointment to the viceregal posts; then
they went to the most senior and trusted officers of the empire,
who were usually military generals as well. Thus Nahapāṇa
and Chashṭaṇa, the Deccan viceroys of the Kushāṇas, were
capable generals, as also Baṅkeya, the Banavāsi viceroy of
the Rāshṭrakūṭa emperor Amoghvarsha I. Military leader-
ship was regarded as an essential qualification not only for
ministerial but also for viceregal posts. Viceroys enjoyed
high and wide powers; they had to maintain internal order
and protect the empire against the external enemies contigu-
ous to the territories under their charge. So military leader-
ship was essential to them.

Provincial viceroys, being often royal princes, had their
own courts and ministers. It is against the oppressive ministers

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1. *Divyāvadāna*, p. 371.
2. *Mālavikāgnimitra*, Act. V.

that the people of Taxila had their grudge when they rose in rebellion. Agnimitra, the viceroy over Mālwā, had his own ministry; the same was the case with the southern viceroys of the Rāshṭrakūṭas and the Yādavas, who usually had the status of *mahāsāmāntas* or feudatory rulers.[1] Viceroys were required to follow the general imperial policy as communicated to them either by imperial writs or through special messengers. Communications being difficult, they naturally enjoyed considerable autonomy. Like the provincial governors of the East India Company before the Regulating Act of 1773, we sometimes find them declaring their own wars and dictating their own peace, as did Agnimitra with reference to the kingdom of Berar.[2] This was to some extent inevitable, because there was the tacit understanding that they would try to extend the extent of the empire. They had their own military forces, and the Central Government would often summon some of their battalions to put down rebellions in other parts of the empire. Thus the Kushāṇa emperor summoned his Deccan viceroy Rudradāman to put down the revolt of the Yaudheyas in northern Rājputānā; Baṅkeya, the viceroy of Banavāsi, had to repair to Gujarat to put down the revolt there, when the Rāshṭrakūṭa emperor Amoghavarsha I could not cope with the situation.

We have no definite evidence about the part which the viceroys played in the civil and revenue administration of the province. They must obviously have been in charge of its supervision and guidance in the light of the orders received from the capital. Divisional Commissioners must have worked under their instructions. In the Gupta administration, however, the latter appear to have been directly responsible to the emperor. Thus the Divisional Commissioner of Puṇḍravardhana was appointed by Kumāragupta I and appears to have worked under his direct instructions.[3] It is, however, doubtful whether there was a viceroy between him and the emperor.

Besides maintaining law and order and supervising revenue collection, the viceroys had to take steps for developing the resources of their provinces by constructing and repairing works of public utility like irrigation tanks and canals

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1. *S. I. I.*, IX. Nos. 367 and 387.
2. *Mālavikāgnimitra*, Act. I.
3. *E. I.*, XV. pp. 130, 133, etc.

and to strengthen the foundation of the empire by ensuring good government and promoting public confidence. Almost all the departments mentioned in the last chapter, that existed at the imperial capital, must have had their replicas in the provincial headquarters.

The government taxes and revenues must have been first collected at the provincial headquarters. The balance that remained after meeting the charges of the provincial administration must have been sent to the imperial capital.

Divisional Administration

The next administrative unit roughly corresponded to the size of a Commissioner's Division consisting of three or four districts. It was called a *bhukti* under the Guptas and Pratīhāras, *rāshṭra* under the Rāshṭrakūṭas and *maṇḍala* under the Cholas and Chaulukyas. Sometimes the term *deśa* also was loosely used to denote it. *Rajjukas* who ruled over several hundred thousands of persons in the Mauryan administration obviously corresponded to the modern Divisional Commissioners, but the name of the administrative unit in their charge is not known.

Aśoka had followed a policy of decentralisation and granted large powers to the *rajjukas*. Subject to the general imperial policy, they had full administrative powers in civil, revenue and criminal affairs. They could confer favours or impose punishments as demanded by the situation.[1] Under the Rāshṭrakūṭas, on the other hand, their powers appear to have been restricted; even Baṅkeya, the favourite Banavāsi viceroy of Amoghavarsha, had to take the imperial sanction for alienating a village in favour of a Jain temple.[2] Hardly any data are available to determine the powers of the officers over *bhuktis* under the Pratīhāras.

Divisional Commissioners had extensive powers over their subordinate officers. If the latter became disloyal or disaffected, they were arrested by them and sent up for further action. District officers had small forces under them; so very often departmental action against them meant a small military expedition as well. The Divisional Commissioners, therefore, had sufficiently strong military forces under their command,

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1. Pillar Edict No. IV.
2. *Rāshṭrakūṭas*, p. 175.

which were used for controlling subordinate officers and local feudatories.[1] When a big campaign was planned by the king, a greater part of these forces were naturally sent to the capital to help him in carrying out his plans.

Divisional Commissioners were also at the head of the revenue administration. They are usually mentioned among the officers who are requested not to interfere with the peaceful enjoyment of the lands or revenues assigned to donees. The term *rajjuka* used to denote them in the Mauryan administration implies an intimate connection with the measurement and assessment of lands. Revenue settlement of villages or their reassessment necessitated by causes like the drying up of canals must have been carried under their supervision.

Aśoka's exhortation to his *rajjukas* to follow a uniform policy in punishments[2] implies that they had judicial powers as well. Probably they constituted the highest court of appeal of the division.

The patronage which the Divisional Commissioners exercised must have varied with different administrations. It must have been considerable under the Mauryas. Under the Guptas they had sometimes the power of appointing district officers,[3] but sometimes the emperor also exercised it. Under the Rāshṭrakūṭas not only the district officers, but even the Tehsildars were often appointed by the emperor himself.[4]

We have shown already how in historic times, there used to be no Central Assembly at the capital of the kingdom. It will be shown in chapter XII how popular village councils functioned almost all through the ancient Indian period and exercised considerable powers. It is very difficult to say whether popular councils existed at the Divisional headquarters. The term *mahattara* denoted the members of the village council, as will be shown in chapter XII. Among the officers requested not to disturb the peaceful enjoyment of land grants we sometimes come across *rāshṭramàhattaras*;[5] sometimes their *adhikārins* or executive officers are also mentioned.[6]

1. *Rāshṭrakūṭas*, pp. 174-5.
2. Pillar Edict, IV.
3. *E. I.*, XV. p. 130.
4. *Rāshṭrakūṭas*, p. 176.
5. *E. I.*, VIII. p. 186 (under the Rāshṭrakūṭas in Khāndesh).
6. *E. I.*, XII. p. 130 (under the Kalachuris in Mālwā).

It is, however, difficult to say whether there was a regular popular council of *rāshṭramahattaras* to guide and advise the Divisional Commissioners. They are mentioned only in two records, and it is therefore not safe to generalise from them. It is not unlikely that the *rāshṭramahattaras* mentioned in the above records may have been simply the notable citizens of the province, who may not have been members of a constitutional popular council. The point, however, cannot be settled, until more evidence becomes available.

District Administration

The *vishaya* of our ancient records usually corresponded with the district of the modern administration, consisting o about a thousand to two thousand villages. This adminis trative unit was known as *āharaṇī* in Kāthiawar and *rāshṭra* in C. P., Andhradeśa and Tamil country in the early centuries of the Christian era.[1] The head of the *vishaya* was naturally called *vishayapati* or *vishayādhyaksha* in the Mauryan administration, since he is mentioned in Aśokan inscriptions immediately after the *rajjuka* and is also required to go on tour like him. *Sahasrādhipa* of the Smṛitis,[2] who was in charge of a thousand villages, is probably to be identified with him. The *nāḍu* was a somewhat smaller division in Tamil country, but the status and powers of its head were probably similar to that of a *vishayapati.*

The district officers like the modern collectors were responsible for maintaining law and order in their districts; they had also to supervise the collection of government taxes and revenues. They were naturally assisted by a large subordinate staff; the *yuktas*, *āyuktas*, *niyuktas* and *vyāpṛitas* who are exhorted in numerous records[3] not to disturb the peaceful enjoyment of alienated villages, were most probably the members of the subordinate revenue staff. Some of them were known as *gopas* in the Mauryan age[4] and as *dhruvas* in Gujarat in the post-Gupta period.[5]

In order to maintain law and order, the *vishayapatis* used to have a small military force under them. The *daṇḍanāyakas*,

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1. *E. I.*, XVI. p. 18; *E. I.*, XXIV. 261; *I. A.*, V. p. 155.
2. *Manu*, VII. 115; *Vishṇu*, III. 7-10.
3. *E. g.*, *C. I. I.*, III. p. 165; *I. A.*. XIII. p. 15
4. *Arthaśāstra*, Bk. II. Chap. 36.
5. *C, I. I.*, III. p. 105.

who figure so frequently in inscriptions and seals, were probably the captains of the military units quartered in the different places to work under the orders of the district officers. The officers of the police department, known as *daṇḍapāśikas* or *choroddharaṇikas*, probably worked under the directions of the district officers. There is no definite information as to whether the different officers of the commerce, industry and forest departments were subject to the immediate general supervision of the *vishayapati*, though working under the direct orders of the heads of their respective department at the capital. Whether the latter exercised any judicial powers is also not known at present. It is, however, not unlikely that they may have presided over the district court.

The popular element had a large voice in the district administration at least in the Gupta period. The chief banker the chief merchant, the chief artisan and the chief Kāyastha (writer) figured prominently in the council, which helped the *vishayapati* of Koṭivarsha in Bengal in the 5th century A. D. It should not be, however, supposed that only the big business dominated the district administration; the persons mentioned above were only the prominent members of the district council, which consisted of a large number of other members as well. The Faridpur Plate III[1] shows that there were about 20 members in this body, some of whom like Kulasvāmin and Śubhadeva were Brāhmaṇas, and some like Ghoshachandra and Guṇachandra probably non-Brāhmaṇas. Whether the council looked after the administration of the headquarter of the district alone or of all the territories included in the district is not known. Probably the latter was the case.

Unfortunately we have no information as to how the members of the district council were elected or selected. As far as the bankers and merchants were concerned, they were obviously represented on the council by the presidents of their guilds, as their designation *prathama-śreshṭhin* and *prathama-kāyastha* would show. The same was the case with the writers' class. As far as the remaining members of the council were concerned, we shall not be wrong in assuming that persons of different classes, who had by their age, experience and character, acquired a preeminent status, were coopted to the council by a general consensus of opinion. Most probably the district council was dominated by the urban interests, but

1. *I. A.*, 1912, pp. 195 ff.

probably a few members may have hailed from the rural area.

We get no detailed picture of the district council from pre- or post-Gupta records. But *vishayamahattaras* or members of the district council figure in a 6th century Vishṇukuṇḍin record from Andhradeśa[1] and a 9th century Rāshṭrakūṭa document from Gujarat.[2] We may not be, therefore, far wrong in assuming that they existed and functioned in the post-Gupta period as well, more or less on lines similar to those obtaining at Koṭivarsha.

The district administration was well organised in the Gupta period. It had its own records office in charge of a *pustapāla* (record keeper), who kept accurate records of the dimensions and ownership of not only cultivated but also of waste lands, and also of house sites in towns and villages. Even when waste lands, the ownership of which was vested in the state, were to be sold, the sanction of the popular council was necessary. Some of the land-grant charters even bear the seals of the district administration.[3] Sealings of the district administrations of Rājagriha and Gayā were found at Nālandā, showing that their communications to outsiders bore the impress of their official seals.[4] All business was transacted methodically; even when the *vishayapati* himself wanted to purchase some waste lands in order to gift it for religious purposes, he had to appear before the council and take its permission.[5]

Sub-divisional Administration

Between the district and the village there were some administrative divisions, whose nature and dimensions varied widely from age to age. Manu recommends[6] that ten villages should form one administrative unit, and ten of the latter should constitute a bigger one, consisting of 100 villages, which would roughly correspond to the modern Tehsil or Taluka. The district, which according to Manu was to consist of a thousand villages, would include ten Tehsils.

1. *J. A. H. R. S.*, VII. p. 17.
2. *E. I.*, I. p. 55.
3. *I. A.*, 1910, p. 195, p. 204
4. *M. A. S. I.*, No. 66, pp. 45 ff.
5. *E. I.*, XXII. p. 54.
6. VII. 115; see also *Vishṇu*, III.

The _Mahābhārata_ suggests some variation in this decimal system of administrative units and recommends intermediate groups of twenty and thirty villages.[1] A glance at the epigraphical data shows that if not this exact system, its underlying principle was followed in several provinces. During the 8th and 9th centuries there were divisions of Vavvullāla and Ruiddha 10 villages, Sihari and Sārakachchha 12 villages and Sebli 30 villages in the districts of Paithan (in Hyderabad state), Karpaṭavāṇijya and Vaṭapadraka (in Gujarat) and Purigeri (in Karnātak).[2] Pravareśvara was the headquarter of an administrative group of 26 villages in the Vākāṭaka kingdom in 5th century.[3] Tanukūpa, Ghaḍahaḍika, and Khattaṇḍā were the headquarters of a group of 12 villages in Rajputana, Gujarat and Bundelkhand respectively during the 11th and 12th centuries;[4] Nyāyapadraka group contained 17, Makkālā 42 and Varakheṭaka 63 villages[5] in Mālwā during the same period. Divisions containing 84 and 126 villages are also known.[6] These units seem to have been known after the name of the important town situated in them.

A number of these village groups constituted something like a modern Tehsil or Taluka, which was known as _pāṭhaka_, _peṭā_, _sthali_ or _bhukti_ in the different provinces. _Kharvaṭaka_ and _droṇamukha_ consisting of 200 and 400 villages[7] respectively were also sub-divisions of _vishayas_ corresponding to modern Tehsils. An official like Tehsildar or Mamlatdar must have been in charge of its administration, appointed by the Central Government. He must have wielded powers similar to those of the _vishayapati_, but of course on a smaller scale.

The Tehsildars of the Central Government carried on the administration of their areas with the help of hereditary revenue officers, at least in the Deccan. They were known as _nāḍgāvuṇḍas_ in Karnatak and _deśagrāmakuṭas_ in Mahārāshtra[8] Deshapandes, Sardeshpandes and Deshmukhs of the Maratha period were their descendants. Whether there existed

1. XII. 87. 3 ff.
2. _Rāshtrakūtas_, p. 138.
3. _E. I._, XXIV. p. 264.
4. _E. I._, II. p. 109; _I. A._, VI. pp. 193-4; _E. I._, IV. p. 157.
5. _E. I._, XVIII. p. 322; _E. I._, III. p. 48.
6. _I. A._, XIX. p. 350. _E. I._, I. p. 317.
7. _Arthaśāstra_, Bk. II. Chap. 1.
8. _Rāshtrakūtas_, pp. 178-80.

similar hereditary Tehsil officers in northern India is not known at present.

Whether the sub-divisional officers in charge of the *pāṭhakas*, *peṭhas* and *bhuktis* were helped and guided in administration by popular councils is the next point to be considered. There were such councils to help the district administration as shown already; they formed a salient feature of the village administration, as will be shown in the next chapter. There is therefore nothing improbable in similar councils having functioned for the sub-division or Talukas also. We, however, get evidence of their existence only in Tamil country during the Chola period. How they were constituted is not yet fully known; the Leyden grant of Animaṅgalam, however, suggests that it included the representatives of the villages included in the *nāḍu*. The *naḍu* assembly took active part in the periodical assessment of the land revenue, as well as in the classification of land; we find even chieftains requesting it to respect in future times the revenue assignments made by them.[1] It also took suitable steps to secure relief in land tax when there was a case to justify it.[3]

Like the village councils, the *nāḍu* councils gave donations of their own and administered charitable endowments given by others. Numerous cases are on record of the *nāḍu* assemblies deciding cases of accidental homicides not amounting to murder, usually requiring the culprit to endow a perpetual lamp in a local temple, no doubt for the spiritual benefit of the innocent men accidentally killed by them.[2]

The last and most important link in the administration was the village. As the problems connected with it are numerous and important, we shall deal with the topic in a separate chapter to follow. We shall conclude this chapter with an account of the town administration, which yet remains to be surveyed.

Town Administration

In the modern times, the administrative organisation of a metropolitan city like Bombay differs considerably from that of an unimportant town in the moffusil. There are no

1. *S. I. E. R.*, No. 356 of 1924.
2. *Ibid,* No. 556 of 1919.
3. *Ibid* No. 217 of 1926; No. 411 of 1912.

doubt certain common principles underlying the constitution of the Bombay Corporation and that of a town municipality, but the former discharges many more functions and requires many more sub-committees for that purpose than is the case with the latter. The same was the case in ancient India.

We have very little information about the cities and their administration in the Vedic period. The Vedic civilisation was mostly a rural one, and towns and cities did not form its important feature. Very little is known about the town life of the period of the *Later Saṁhitās* and *Brāhmaṇas*.

When, however, we reach the historic period proper, we find that the Punjab was studded with a large number of towns and cities on the eve of the invasion of Alexander the Great. Most of them were autonomous to a great extent, being governed by their own councils. How these councils were constituted is not, however, described; very probably experienced elders were coopted on them by a general consensus of public opinion.

We get more detailed information of the administration of ordinary towns from the Gupta period onwards. It was usually presided over by an officer of the central government usually called *purapāla*. If the town was the headquarters of a district, the district officer usually discharged this duty as well. If the town was also a fort, it used to have another imperial officer called *koṭṭapāla*, who had under him a number of commandants.[1] Very often the *purapālas* were themselves military captains, as was the case with ministers and district officers as well; thus Rudrapayya, who was the prefect of the town of Saravaṭura in Karnāṭak, was a bodyguard of the Rāshṭrakūṭa emperor Kṛishṇa III.[2] Mahādeva and Pātāladeva, the joint prefects of Badāmī under Jagadekamalla in 1140, were both *daṇḍanāyakas* or military captains. Sometimes, however, the *purapālas* were selected from among scholars as well, who used to be interested in promoting the study of the 'everlasting six systems of philosophy'.[3] It is quite possible that they may have combined the literary qualifications with military ability as well.

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1. Such was the case at Gwalior in *c.* 875 A. D.; *E. I.*, I. p. 154.
2. *I. A.*, XII. p. 258.
3. *I. A.*, XV. p. 15.

The *purapāla* or the governor was assisted by a non-official committee, variously called as *goshṭhī, pañchakula* or *chaukaḍika*[1] in the different parts of the country. All classes and interests were represented on the committee. Sometimes towns were divided into wards and each ward sent its own members to the committee. Thus in the town of Ghalop in Rajputana, there were eight wards, known as *wāḍās*, each of which used to send two representatives.[2] How the representatives were selected, we do not know. Very probably elderly persons, who had earned the regard of the residents by their experience, character and ability, must have been sent to the council by a general consensus of opinion.

The *pañchakula* usually consisted not necessarily of five but often of a large number of representatives thus sent by the different wards. It used to have an executive of its own for the speedy and convenient dispatch of business. The executive was called *vāra* in Rajputana and Central India during the Pratīhāra period.[3] Prima facie, this appears to be a queer name; but it was probably given to the executive because it used to change by turn (vāra). An 11th century record from Bhinmal refers to a gentleman as the *vārika* of the current year;[4] this suggests that the executive committee changed annually at that city. At Siyadoni the same persons are seen to have been *vārikas* both in 967 and in 969 A. D.[5] It appears that the executive was elected at this city for a period longer than one year.

The number of the officers of the executive committee must naturally have varied according to the needs of each case. At Siyadoni they were only two but at Gwalior they were three. It was their duty to look after all the executive work, the collection of taxes, the investment and recovery of public funds, the administration of trust funds, etc.

The *vārikas* were assisted in their work by a permanent office and staff. The former was called *sthāna* in Rajputana and used to keep carefully all records of important ducuments.[6] Thus when the horse dealers of Pehoa decided to give a

1. At Ghalop in Rajputana; *E. I.*, XI. p. 39.
2. *Ibid.*
3. *E. I.,* I. p. 154; pp. 173-79,
4. वर्त्तमानवर्षवारिकजोगचंद्र । *B. G.,* I, i, p. 43.
5. *E, I.,* I. p. 154; pp. 173-79.
6. लिखितं स्थानानुमतेन करणिकसर्वंहारिणा । *E. I.,* I. p. 79

voluntary cess, they passed a formal resolution and deposited
its copy in the office (*sthāna*) of the municipality, so that it
may be enabled in the future to collect the dues according to
the agreed scheme. A permanent secretary (*karaṇika*) was in
charge of the records and correspondence of the committee.
Important documents were carefully drafted by him under
the instructions of the committee. He must have had a
sufficient clerical staff under him. An officer called *kauptika*
used to be appointed for collecting the market dues, which
probably formed the main stay of the local finance. Some-
times the dues of the Central Government in customs duties
were collected by the town committee on its behalf; thus the
pilgrim tax at Bāhuloda in Gujarat, which amounted to
several lakhs, was collected in the 12th century by the local
municipality on behalf of the central government.[1]

The instances of town-councils given so far all hail from
Gujarat and Rajputana; but it should not be supposed that
these bodies did not exist elsewhere. At Nāsik in Mahārāshṭra
there was a town council (*nigamasabhā*) in the 2nd century
A. D.; all documents creating or transferring rights in landed
property were registered in its office.[2] The council of Koṭi-
varsha in Bengal has been already described in connection
with the district administration. At the town of Guṇapura
in Konkan, the prefect was assisted by a committee consisting
of one Brāhmaṇa, one merchant and two bankers.[3] The city
of Aihole in Karnātak had its own corporation throughout
the Rāshṭrakūṭa and Chlukya periods. The town of Mulunda
of the same province was divided into five wards. As the
inscription referring to this topic is fragmentary, no definite
conclusion can be drawn; but it is not unlikely that the
division into wards may have a reference to the representation
on the committee, as was the case with the eight wards of
Ghalop referred to above. The town committees, therefore,
were a common feature of the ancient Indian administration.

We shall conclude this chapter with a brief description of
the corporation of Pāṭaliputra during the 4th and 3rd
centuries B.C.[4] Being imperial capital, thronged with foreign-
ers, its constitution was somewhat different, but it followed

1. *Prabandhachintāmaṇi*, p.'84.
2. *E. I.*, VIII.
3. *E. I.*, III. p. 260.
4. Based on the *Arthaśāstra* and Megasthenes' account.

the same general principles which governed the constitution of ordinary town committees. It consisted of a body of 30 members divided into five sub-committees. Out of these sub-committees, the one dealing with foreigners, watching their movements and providing for their needs, must have existed only in big capitals or busy ports, where they resided in large numbers. The second committee, dealing with vital statistics and registering carefully the births and deaths, is not referred to in any later inscriptions or Smṛitis. Probably it was a Mauryan innovation and did not become popular in later times. The third committee, which supervised over the manufacture of articles, must have usually existed only in industrial towns and cities. The fourth and fifth committees dealt with the fixation of fair wages, the supervision of the market, the supply of pure and unadulterated goods and the collection of the different dues and taxes from the merchants. These duties were discharged by most of the town and village boards throughout Indian history. We miss the public works committee, usually known in Tamil country as the tank or the garden committee in later times, probably because Pāṭalipura, being the imperial capital, its needs in this connection were met by the officers and departments of the Central Government. None of the sub-committees is seen administering trust funds for the benefit of the community, as was invariably done by the town councils and village committes in later times. Probably this work was done by some purely non-official bodies, as indicated by the *Arthaśāstra*. The Greek writers do not inform us about the constitution of this board and its different sub-committees, whether they were official or non-official, elected or nominated. Pāṭaliputra being the imperial capital of a big empire, it is but natural that many officials must have been appointed on the board like the superintendents of the markets, tolls weights and measures etc. referred to in the *Arthaśāstra*. There is, however, no direct evidence on the point. The board of moffusil towns consisted mostly of non-officials, as shown already.

CHAPTER XI

VILLAGE ADMINISTRATION

Since earliest times, the village has been the pivot of administration in India. Its importance was naturally very great in an age when communications were slow and industrialisation unknown. Towns played a relatively unimportant part in ancient Indian life; the Vedic hymns frequently pray for the prosperity of villages[1] but rarely for that of towns and cities. While describing the prosperity of a kingdom, Jātakas proudly give the large number of prosperous villages included in it, but are altogether oblivious to the existence of towns and cities that may have flourished in it. In the Vedic age, as shown already, states were small and this circumstance further enhanced the importance of the village. In later times, even when kingdoms became large, there was no change in the situation, because the village was the natural pivot of administration in a rural society. In modern times, governors often convene a conference of collectors to discuss important questions of administrative policy; in ancient times kings like Bimbisāra used to convene a meeting of village headmen for similar purpose.[2] There is no doubt that villages were the real centres of social life and important units in the country's economy. They sustained the edifice of national culture, prosperity and administration.

The Village Headman

The village government was usually carried under the supervision and direction of the village headman. He is called grāmaṇī in the Vedic literature and figures frequently in the Jātakas. The Arthaśāstra attests to his important part in the administration and inscriptions of almost all the provinces refer to him during the first millennium of the Christian era. He was called grāmika or grāmeyaka in northern India[3] and mununda in the eastern Deccan[4] in the early centuries of Christian era and grāmakūṭa or paṭṭakīla in Mahārāshtra,

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1. R. V., I. 114. 1; I. 44. 10.
2. Mahāvagga, V. 1.
3. E. I., I. p. 387; I. A., V. p. 155; C. I. I., III. p. 256.
4. E. I., IX. p. 58; I. A., XVIII. pp. 15-7; E. I., II. pp. 359-61.

gāvuṇḍa in Karnātak[1] and *mahattaka* or *mahantaka* in U. P.[2] between *c.* 600 and 1200 A. D.[3]

Normally speaking there was only one headman for each village.[4]   His post was usually hereditary, government having the right to nominate another scion of the family if the succession of the son was not approved.   By caste, he was usually a non-Brāhmaṇa.   He was the leader of the village militia since the Vedic age, and therefore, he may have often belonged to the Kshatriya caste.   Sometimes Vaiśyas too aspired for and obtained the office.[5]

The headman was the most important officer of the village administration.   His order was represented on the council of *ratnins* in the Vedic period and appears almost like a village king in the Jātakas.   He figures at the head of the village officers mentioned in the inscriptions of the first millennium of the Christian era.   Gahadwāl rulers are often seen consulting the village headman when making the grant of a piece of land situated in his village.[6]

Defence of the village was the most important duty of the village headman; he was the officer in charge of its militia[7] and watch and ward.   Life was much more unsettled in ancient times[8] and owing to slow communications the help

1.   Altekar, *Rāshṭrakūṭas*, p. 189.
2.   *I. A.*, XVIII. pp. 15-17; XIV. pp. 103-4.
3.   *I. A..* XII. p. 271; *E. I.*, IV. p. 64.
4.   Very often government used to alienate village revenues in favour of military captains or Brāhmaṇa scholars.   The alienees in such cases were often called *grāmabhoktṛis* or *grāmapatis*.   The village headman is not to be confounded with such alienees of government revenues.
5.   Sometimes we come across more than one village headman; some villages in Karnātak had as many as six or even twelve headmen (*Rāshṭrakūṭas*, pp. 189-90).   This was probably due to the necessity of accommodating the claims of the numerous branches of the original family.   Usually, however, these claims were adjusted by allotting the office to each branch by rotation.
6.   *T. S.*, II. 5.4.4. shows that the office of the *grāmaṇi* was often the goal of the ambition of a Vaiśya.
7.   *E. I.*, II. p. 359-61.
8.   See Kulāvaka and Kharassara Jātakas for the early period; for the later period, compare :—

यथा स्वसैन्येन सह ग्रामाध्यक्षादिसैन्यं सर्वाध्यक्षस्य भवति ।

Sāṅkhyatattvakaumudī, p. 54 (Jha's ed.).

9.   *Rāshṭrakūṭas*, pp. 190-1.

of the Central Government could not be always expected at the nick of time when there were sudden raids of bandits and robbers. The villagers therefore had to be self-reliant in defence.[1] We often come across the headman and members of the village militia laying down their lives while defending their village.[2]

The collection of the government revenue was the next important duty of the village headman. He was the custodian of the necessary records and used to carry out the work of collection in consultation with the village council. The headman was also the ex-officio president of this body and used to guide its deliberations and activities in the various spheres of the village government and life. He was usually remunerated by rent free land and could also get a number o' petty dues in kind, which the villagers had to pay to the government.

The village headman was the most influencial person in the village. The *Śukranīti's* observation that he was like the father and the mother to the villagers is substantially true.[3] Though responsible to the central government, he was generally a man of the people and keen to protect their interests. He was as much indispensable to the people as to government.

The village office had to keep records of rights and transfers of the village lands, as also the papers connected with the government dues and their realisation. Correspondence had to be carried on with the district authorities and central government and the decision and resolutions of the village council had to be duly recorded. All this work was entrusted to another village officer, known as village accountant. His post also was hereditary in most provinces and he also was paid by rent-free land. In Tamil country, however, he was appointed by the village assembly.[4]

The village headman and the accountant were the two usual officers of the village government. The *Śukranīti* refers to

1. *Arthaśāstra*, Bk. II. Chap. I.
2. *Saptaśatī*, VII. 31; *E. C.*, VIII. Sorab No. 445; *I. A.*, VII. p. 104; Nos. 479 and 753 of 1916.
3. II. 343.
4. In some cases the Assembly reappointed the accountant annually. No. 89 of 1932, *S. I. E. R.*, 1932.

four more, *sāhasādhipati* or magistrate, *bhāgahāra* or revenue collector, *śulkagrāha* or toll collector and *pratīhāra* or the gate-keeper. They are not however referred to in other Smṛitis or mentioned in inscriptions. Possibly they may have existed in big villages, their functions being performed by the headman and the accountant in smaller ones. ᵥ

Probably all respectable householders were entitled to become the members of the Primary Assembly of the village. We have rather vague evidence on this point about early times and about northern India. There are, however, some indications showing that in Mahārāshṭra, the Primary Village Assembly consisted of all the householders.[1] There can be no doubt that such was the case in Karnāṭak and Tamil country from *c.* 600 A. D. Numerous inscriptions from Karnāṭak show that the number of the Mahājanas (great Men of the Village) was very large, sometimes 200, sometimes 420, sometimes 500, and sometimes even 1002.[2] There is clear evidence to show that they included all the village householders.[3] All villagers were invited by the beat of the drum for the meeting of the Village Assemblies in Tamil country.

All respectable householders of the village had thus an inherent right to become the members of the Primary Village Assembly. It is interesting to note that the different terms by which they were known, *mahattamas* in U. P., *mahattaras* in Mahārāshṭra, *mahājanas* in Karnāṭak and *perumakkāl* in Tamil country, all mean the same thing, Great Men of the Village.

Great Men of the Village, being so large a body, could obviously have carried on the administration only through an executive committee or council, which was known as Village Panchāyat in later times. Let us now see what was its constitution.

Jātakas inform us that neither the village headman nor the village accountant ruled over the village community according to their sweet will. They were both of them guided in the administration by the opinion of the village public, which made itself felt through the village elders, who formed a kind of informal council since very early times. We have shown already how the *sabhā* of the Vedic period was both a village social club as well as a village council; at its

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1. *E. I.*, XIV. p. 150.
2. *I. A.*, IV. p. 274; *E. I.*, IV. p. 274; XIII. pp. 33-4.
3. Altekar, *Rāshṭrakūṭas*, pp. 199-201.

meetings, the members discussed social topics, played indoor games and also transacted the business of the village government.[1] Jātakas inform us that villages transacted their business themselves.[2] They do not attest to the existence of any regular council or standing committee evolved for this purpose. Initiative was usually left with the headman, but if he acted unreasonably or against the established customs of the locality or realm, the village elders could set the matter right by pointing out his mistake to the headman.[3] In the Mauryan period villages used to organise works of public utility and recreation, settle the disputes between their residents and act as trustees for the property of minors.[4] But they had not yet evolved regular councils, for the *Arthaśāstra* refers to village elders acting as trustees, and not to any village council[5] or its sub-committee.

The village councils appear to have evolved into regular bodies in the Gupta period at least in some parts of India. They were known as *pañchamaṇḍalis* in Central India and *grāmajānapadas* in Bihar. A large number of the sealings of the different village councils (*jānapadas*) have been discovered at Nālanda, which doubtless sealed the letters sent by them to the administrators of the Nālandā University.[6] It seems almost certain that the village councils in Bihar had developed into formal bodies, meeting regularly to transact administrative business and communicating their decisions to outsiders in formal and sealed communications.

Village elders known as *mahattaras* functioned in the Pallava[7] and Vākāṭaka[8] kingdoms (*c.* 250-550 A. D.), but we do not know whether they had developed a regular council. Inscriptions from Gujarat and Deccan,[9] however, show that

1. *Ante*, Chap. VII, pp. 97-98.
2. Kuṇāla Jātaka.
3. Paniya Jātaka. Here the headman cancels his order prohibiting the sale of strong drinks and slaughter of animals, when the villagers pointed out to him how these were time-honoured customs of the village.
4. *Arthaśāstra*, Bk. III. Chap. 10.
5. प्रयोजकासंनिधाने ग्रामवृद्धेषु स्थापयित्वा ।   Bk. III. Chap. 12.
6. *M. A. S. I.*, No. 66, pp. 45 ff.
7. *E. I.*, VIII. p. 145.
8. *E. I.*, XIX. p. 102.
9. सर्वानेव राजसामन्त....ग्राममहत्तराधिकारिकान् ।   *I. A.*, XIII. p. 77.
   सर्वानेव राष्ट्रपति ग्रामकूटायुक्तकनियुक्तकाधिकारिकमहत्तरादीन् ।
                                             I. A., XIII. p. 15.
   See also, *Village Communities in Western India*, pp. 20-1.

from *c.* 600 A. D. the village elders used to appoint a formal executive committee of their own, variously known as *mahattarādhikarins* or *adhikārimahattaras*, either expression meaning 'village elders in office or power'. Inscriptions show a similar development in contemporary Rajputana also, where the executive of the Village Assembly was known as *pañchakula*;[1] it worked under the guidance of a headman known as *mahanta*.[2] It was undoubtedly a very important body, for donations made even by royal personages were announced in its formal meetings.[3] Gahaḍwāl records often refer to the village elders, described as *mahattaras* or *mahattamas*;[4] but we do not know whether they had developed a regular executive council of their own.

Inscriptions of the Chola dynasty (*c.* 900-1300 A. D.) enable us to present a more detailed picture of the constitution and functions of the Village Assemblies and their executive committee in Tamil country.[5] The Primary Assembly of the villagers was known as *ur* in the case of ordinary villages and *sabhā* in the case of *agrahāra* villages, mostly tenanted by learned Brāhmaṇas. Sometimes both these Assemblies are seen functioning in the same village; this probably happened when the new Brāhmaṇa colony was a small one.[6]

As observed already, the Primary Village Assembly of the Tamil country consisted of all the village residents. Its meeting was usually summoned by the beating of drum.[7] One of the most important work of the Assembly was to elect the village executive; it was chosen after obtaining the consent of all the villagers assembled as the *ur*;[8] but how exactly this was done we do not know. The consent was probably given in an informal manner by the villagers expressing their approval of the proposals made by the influencial members of the village community. The executive body was known as

1. *E. I.*, XI. p. 58; *B. G.*, I. 1. pp. 474-5.
2. *E. I.*, XI. p. 56.
3. *E. I.*, XI. pp. 49-50.
4. *I. A.*, XVIII. pp. 34-5; *E. I.*, III. pp. 266-7.
5. See K. A. Nilkantha Sastri, *The Cholas*, Chap. XVIII.
   K. A. Nilkantha Sastri : *Studies in Chola History and Administration*, pp. 73-163.
   S. K. Aiyangar, *Administrative Institutions in South India* Chap. V.
6. Such was the case with Tiruverumbūr (Nos. 112 and 123 of 1914), Tiraimur (201 and 216 of 1917), etc.
7. *S. I. E. R.*, Nos. 553 of 1921, 85 of 1896, 72 of 1914, 103 of 1897.
8. *Ibid*, No. 89 of 1932.

āḷungaṇam, the ruling group, but its numerical strength is not known.

The information which we get about the constitution and functions of the Village Assemblies *(sabhās)* and their executive is much more detailed and complete in the case of the *agrahāra* villages, mostly consisting of Brāhmaṇa residents. These constituted the most cultured and educated section of the community and the residents of some of these *agrahāras* have immensely helped the historian of ancient India by describing in detail the constitution of the executive of their Assemblies. The most detailed picture of the working of the executive committees of the Village Assemblies *(sabhās)* is to be obtained from the famous inscriptions at Uttaramerur, a village still flourishing in Chingleput district with only a slightly changed name, Uttaramallur.[1]

The Government of this village was carried on by five sub-committees of the *sabhā.* All members worked in the honorary capacity and held office for one year. They could, however, be removed earlier, if found guilty of misconduct. It was felt that all experienced and qualified residents of the village should get an opportunity to serve on the various sub-committees; one of the rules, therefore, provided that a member who had served once on a sub-committee was not to be re-appointed to it during the next three years. Persons whose character was loose, or who had been found guilty of mis-appropriation of public funds, were debarred from member-ship as also their near relatives. The bar against the latter was obviously intended for increasing the volume of public opinion against those who were guilty of defalcation of public funds. Members were to be neither too young nor too old; their age was to be above 35 but below 70. These negative qualifications, however, were not sufficient. Candi-dates were required to own a house and at least 1/4 *veli* (about two acres) of tax-paying land. It was felt that those who deal with public funds should be persons above need. But the property qualifications were halved in the case of those who were good scholars either of the Vedic learning, or of Smṛitis, or of *bhāshyas* (philosophy). It was but natural that an *agrahāra* community should be anxious that its repre-sentatives on the different village committees should be, as

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1. For the text of the inscriptions, see K. A. N. Sastri, *Studies in Chola History*; see also *A. S. I. A. R.,* 1904-5 pp. 131-145.

far as possible, well-to-do scholars, of good character and
known rectitude. It is worth noting that no government
officers were included in these committees. *Mahattarādhikārins*,
who formed the village council in the Deccan, are also sharply
distinguished from regular government officers in the inscrip-
tions hailing from that province.

It is not to be supposed that these rules about the
qualifications of members were of rigid and universal appli-
cation even in the case of the *agrahāra* villages. The village
sabhās had gradually evolved out of popular gatherings of the
earlier periods which discussed social, religious and political
matters indiscriminately at their meetings, as there was hardly
any distinction made in such matters at that time. In the light
of experience gained, rules were gradually framed in the
course of time. Inscriptions begin to refer to them only from
about the end of the 8th century A. D. Each *sabhā* had as
a rule its own constitution, though of course, it did not very
widely differ from the normal type. Thus, for instance, in
some cases the minimum age qualification for members was
35, in others 40. In some cases members became re-eligible
for election after three years, in others after five or even ten
years. Some assemblies held that even the near relatives of
persons once elected should not be permitted to seek re-election
for the next five years.[1] The number and functions of the
sub-committees also differed according to the needs of the
situation and the locality.

Each *sabhā* was usually the architect of its own consti-
tution. The earliest known constitution, that of the *mahā-
sabhā* of Mānanilainallūr, was framed by that body itself at
a special meeting of villagers convened by a beat of drums.[2]
When amendments became necessary in the constitution, they
also were usually considered and passed by the *sabhā* itself.
Sometimes we find the *sabhās* amending their rules in less than
two months' time.[3]

At Uttaramerur members of the different sub-committees
were selected by drawing lots. Several nominations were
made from each of the thirty wards of the village, the name
of each nominee being put on a separate ticket. All the

1. *S. I. E. R.*, 1927, II. 28; No. 500 of 1925.
2. Sastri. *Chola Studies*, p. 82.
3. *S. I. E. R.*, Nos. 240 and 241 of 1922.

tickets for each ward were put in a pot and a young child, which was quite innocent of what it was called upon to do, was asked to pick up one ticket. That person was declared elected for each ward whose name was on the ticket so taken out. There was no room for canvassing or party politics.

Thirty persons who were thus selected were later assigned to different sub-committees. The first sub-committee was in charge of village gardens and orchards, the second supervised the village tank and the distribution of its water; the third discharged the important function of settling disputes. The fourth committee was known as the Gold Committee; its function was to assay gold for all people impartially. This sub-committee naturally consisted of experts in the art. There was no standard state coinage and so gold that was offered for taxes or prices had to be certified about its fineness. A special procedure was laid down for the selection of the expert members of this committee. The fifth sub-committee was known as *pañchavāra* committee; its functions are not clear yet.

When members, who had once served on a sub-committee became eligible for re-election after the lapse of the prescribed number of years, they were usually transferred to a different sub-committee. This was intended to ensure a wide administrative experience in the different members.

In addition to these five sub-committees, there was a general committee of supervision known as Annual Committee (*samvatsara-vāriyam*). Only experienced elders, who had previously served on other sub-committees, were eligible for the membership of this body.

The number and functions of the sub-committees naturally varied according to the needs and circumstances of each village. A land survey committee is disclosed by one record;[1] its function must have been to survey and classify lands and see to it that the government assessment was fair and equitable. A temple committee is referred to in another.[2] Some *agrahāra* villages had their own colleges; they probably had an education committee.

We have shown already how the village assemblies had developed a regular council in Bihar, Rajputana, Central India, Mahārāshṭra and Karnatak at least in the Gupta and

1. *S. I. E. R.* No. 262 of 1913.
2. *Madras Epigraphy Report* for 1915-6, p. 115.

the post-Gupta epochs. Neither Smṛitis nor inscriptions, however, enlighten us as to the manner in which it was constituted. The committee was reconstituted annually in Tamil country, as shown above; in an inscription from Bhinmal in Rajputana, (dated 1277 A.D.), we find the members of the local committee making a religious grant and observing that though they have made the donation, its merit will belong to all those who may happen to be the members of the council in future.[1] This suggests that the members of the village councils used to be periodically changed in the north as well. We, however, have no information about the duration of the tenure of their office. At Uttaramerur, the selection was by lots. It does not seem that election of the modern type giving rise to party jealousies and rivalries was prevailing anywhere. Persons were periodically elevated to the council by the consensus of public opinion as expressed in a general meeting of all the respectable householders of the village. Caste considerations did not sway in the selection of the council members. Many non-Brāhmaṇas worked on it in the Gupta age; on the judgments of many village Panchā-yats in the Maratha period appear the signatures of not only non-Brāhmaṇas but also of untouchables.[2]

The division of the village council into sub-committees which prevailed in Tamil country, was unknown to Karnā-ṭak. Numerous inscriptions from this province show that the 'Great Men of the village (mahājanas) used to manage schools, construct tanks, build rest-houses, raise subscriptions for public purposes and act as trustees and bankers, guaranteeing for all time to come the proper utilisation of the trust funds entrusted to their care. One naturally expects that the Great Men should have appointed sub-committees to supervise these different activities, but the inscriptions never refer to them.[3] It would appear that the village mahājanas of Karnāṭak used to make only informal arrangements for the discharge of these various duties and responsibilities through their executive council, which is seen to consist sometimes of three and sometimes of five members.[4]

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1. यस्मात्पञ्चकुल: सर्वो मंतव्य इति सर्वदा ।
   तस्य तस्य तदा श्रेयो यस्य यस्य यदा पदम् । B. G., I. I, p. 480.
2. *Aitihāsika Lekhasamgraha*, XVI. p. 55.
3. Altekar, *Rāshṭrakūṭas*, p. 203.
4. *Ibid.,* p. 202.

The members of the council may have taken the help of other influencial members of the village community according to the needs of the situation.

Sub-committees of the Chola type did not probably function in northern India as well. Here the village council consisted of five members only; it is expressly called a *pañchamaṇḍalī*[1] in a Gupta inscription and *pañchakulī* in several medieval records.[2] Sub-committees of a small body of five members were obviously impracticable.

Let us now briefly survey the functions of the village council. Several records from south India make it quite clear that the ultimate responsibility for collecting the land revenue was fixed upon the village council. It was this body which negotiated with government for concessions in the usual demand in the case of famine and similar calamities. But when the amount was once settled, the village council had to collect the dues from the land-owners and even proceed to auction their land, if they were in default for a long time. The council had even the power to exempt a piece of land from the taxation of the central government, if its owner deposited with it the capitalised value of the annual tax. The tax was of course paid by the council itself out of the interest of the capitalised fund.

It is doubtful whether the village councils in Karnāṭak, Mahārāshṭra and northern India enjoyed such considerable powers concerning the collection and remission of land revenue, as were possessed by the Chola councils. At any rate inscriptions are silent upon the point.

The ownership of the village waste lands was vested in the village councils. In the Gupta period the Central Government could dispose of them only with the sanction of the local bodies.[3] Numerous Chola epigraphs record the sale of land by the village councils; probably in many cases these were pieces of waste lands brought under cultivation.[4]

The settlement of the village disputes was one of the most important functions of the village councils.[5] In the

1. *C. I. I.*, III. p. 31.
2. *E. I.*, XI. pp. 49, 56; *B. G.*, I. i, pp. 474 ff.
3. *E. I.*, XV. p. 130.
4. *S. I. E. R.*, Nos. 312, 319 and 329 of 1910.
5. They discharged this function as early as the Vedic period; *sabhā-chara* is seen connected with the sacred law in the Vedic literature.

first instance, family elders or the guild to which the dispu·
tants belonged tried to settle the case, but if they failed, the
village council used to decide the dispute.   Serious crimes
were naturally excluded from the jurisdiction of the village
council; sometimes capital punishment had to be imposed
upon the criminals and it was naturally felt that the highest
courts of the state should be called upon to decide the
momentous issue.   Cases of accidental homicides not amount-
ing to murder were, however, often settled by the Tehsil
councils in the Chola period.[1]

There was, however, no limit to the jurisdiction of the
village council as far as civil cases were concerned; disputes
involving rights to properties worth several thousands could
be settled by them.

The theory of some early writers that the village councils
or Panchāyats owed their judicial powers to the prevailing
anarchy,[2] no court of the king being available, is completely
disproved by the evidence of the Smṛitis, inscriptions and
Maratha records.   Smṛitis observe that the decisions of the
village councils, duly arrived at, must be enforced by the
state because it has duly invested them with the judicial
powers.[3]   Several documents of the Maratha period have been
found showing how kings like Shivaji, Rajaram and Shahu
would refuse to entertain a suit, if directly brought to them;
they would invariably refer it to the village Panchāyat
concerned.[4]   Even Muslim emperors of Bijapur used to do
the same.   A suit involving the right to the post of the head-
man of the village of Masur was decided against one Bapaji
Musalman by the Masur Panchāyat, and the decision was
confirmed by the Tehsil or Taluka Panchāyat.   Bapaji
Musalman then appealed direct to the Emperor Ibrahim
Adil Shah, complaining that he had not received proper
justice owing to communal prejudice.   The emperor refused
to entertain the suit in his own court, but ordered its retrial
by the Hindu Panchāyat of the famous holy place of Paithan.[5]

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1. Nos. 64 and 77 of 1900; No. 223 of 1903; Nos. 257 and 352 of 1909.

2. Maine, *Village Communities in East and West*, p. 68.

3. तैः कृतं यत्स्वधर्मेण निग्रहानुग्रहं नृणाम् ।
    तद्राज्ञाप्यनुमंतव्यं निसृष्टार्था हि ते स्मृताः ॥ *Yājnavalkya*, II, 30.

    Altekar, *Village Communities*, pp. 45-6.

    Parasnis, *Aitihāsika Lekhasamgraha*, XVI. No. 82.
    Altekar, *Village Communities*, pp. 44-45.

When this Panchāyat also refused to reverse the ower decisions, Ibrahim Adil Shah declined to take any further action. These cases will show clearly that it was the considered and deliberate policy of the state to invest the village Panchāyats with extensive judicial powers. Parties to a dispute had no alternative but to submit the case to their decision.

In the light of this later but overwhelming evidence, we may well conclude that the village courts, called Pūga by Yājñavalkya, were functioning during the first millenium of the Christian era in the same way as in later centuries. It is really unfortunate that we should get no evidence about their functioning from contemporary literary or epigraphical sources. The assignment of minor fines, imposed upon the criminals in the village, to the donees of villages in numerous grants, however, suggests that these cases were tried locally and by the village Panchāyats.[1]

In many cases temples had their own separate management committees. When, however, such was not the case, the village council or its sub-committee would supervise the temple administration with a view to see that worship was duly arranged, funds properly utilised and repairs to the temple carried out.[2]

South Indian inscriptions show that the village councils used to transact business as bankers as well. They used to receive perpetual deposits and guarantee the utilisation of their interest according to the desires of the donors.[3] They used to capitalise the value of the government tax of a particular land and make it tax free on receiving its capitalised value arranging to pay the tax out of the interest annually accruing. It was always understood that the obligations undertaken on such occasions were binding on the *sabhā* in its corporate capacity, though its membership may change. We have an interesting case of the temple authorities at Uttaramerur demanding in 1215 A. D. the fulfilment of certain obligations, which the *sabhā* had undertaken three centuries earlier but which had not been carried out for sometime. The *sabhā*

For the working of the village Panchāyat courts, see Altekar *Village Communities*, pp. 42-51.

I. A., XII. p. 258; *E. I.*, III. p. 275.

I. A., XII. p. 120; p. 256; *E. I.*, VI. pp. 102 and 253.

readily recognised its responsibility and gave a fresh under-
taking to meet its obligation, though on a somewhat re-
duced scale.[1]

   In the case of calamities like famines, they used to raise
a public loan by mortgaging the common lands at least in the
Chola period; we have an instance of one village council
mortaging $8\frac{1}{3}$ *velis* of common land in order to secure a
loan of 1011 *kaḷañjus* of gold and 464 *palams* of silver in order
to distribute relief to the famine stricken population.[2] The
creditor in such cases was usually the village temple, which
used to own extensive properties in most cases.

   The village councils used to organise several works of
public utility. Efforts were made to bring forests and waste-
lands under cultivation in order to increase the wealth of the
village.[3] Construction, maintenance and repairs of irrigation
tanks and canals engaged the serious attention of the village
councils of the Chola period, and probably the same was
the case in other provinces and centuries as well. Jātakas
give us a vivid picture of how villagers used to repair the
village roads[4], and a south Indian inscription shows how
roads used to be repaired by village councils; sometimes
they would even widen them by purchasing the adjoining
lands.[5] Wells for drinking water were also dug and kept
under repairs. Occasionally public halls or rest houses were
also built.

   We should not, however, suppose that the village councils
were interested in promoting only the material comforts and
well-being of their residents. We often find them taking
steps to promote cultural and intellectual interests as well.
The *sabhā* of Uttaramerur gave three endowments on different
occasions to promote the study of grammar, the *Bhavishya-
purāṇa* and the Yajurveda.[6] *Vedavrittis* or grants for Vedic
studies were given or procured by numerous village councils
of south India.[7]

1. *Mad. Ep. Rep.*, 1899-1900, p. 20.
2. *S. I. E. R.* No. 67 of 1898.
3. *S. I. I.*, III. No. 11.
4. Vol. I. p. 199.
5. *S. I. E. R.* No. 9 of 1898.
6. *S, I, E. R.* Nos. 18, 29 and 33 of 1898 and Nos. 194 of 1923.
7. *S, I. E, R,* Nos. 481 ann 487 of 1917.

Let us now see how the village councils used to finance these different activities. There is sufficient evidence that the Central Government used to permit the village council to spend a small percent of the revenues collected in the village for financing its own activities. Evidence of the Maratha period shows that the village council was permitted to utilise about 10 to 15 per cent of the village revenues for works of public utility and village defence.[1] Probably the same was the case in the Hindu period, though we have no direct evidence upon the point. Fines imposed by the village court upon the offenders were another source of revenue.[2] Village councils had also the right to impose additional taxes and cesses. The Assembly of Nalur in Tamil country borrowed 25 *kāsus* from a local temple in the 10th century A. D., and in return assigned to it the right of collecting certain rates from the stalls in the bazars of the temple.[3] The residents of Salotgi in Karnātak agreed to pay in 945 A. D. certain cesses at the time of marriage and other ceremonies for the maintenance of a local college.[4] The same was done by the villagers of Patan in Khandesh for a similar purpose in 1069 A. D. Northern India also supplies numerous instances of such local cesses levied by the village communities and trade guilds for financing works of public utility.[5]

Religion also considerably helped the village councils by enumerating digging of wells and tanks and founding of poor houses and hospitals among the most approv. methods of gaining religious merit. The *sabhā* of Uttaramerur had received two permanent endowments to meet the expenses of removing silt from its big tank.[6] An endowment was also received by this village *sabhā* for digging a well for drinking water.[7] The instances given above are only typical and not exceptional ones.

The Central Government would also occasionally help the village councils by direct grant or by giving the requisite

1. Altekar, *Village Communities*, pp. 70-72.
   H. Mann : *Land and Labour in a Deccan Village*, Vol. I. pp. 42-50.
2. *Arthaśāstra*, Bk. III. Chap. 10.
3. *S. I. E. R.*, No. 32 of 1910.
4. *E. I.*, IV. p. 66.
5. *I. A.*, XII. p. 87; *E. I.*, I. p. 188.
6. *S. I. E. R.*, Nos. 69A and 74 of 1898.
7. *S. I. E. R.*, No. 75 of 1898.

material free or at concession rates.[1] If a project was clearly beyond the means of the local body, it was entirely financed from the central revenues. Such, for instance, was the case with the famous dam at Girnar in Kathiawar.

A few words are necessary about the procedure followed at the meetings of the Primary Village Assemblies and their Executive Councils or Panchāyats and their sub-committees. The meeting place of the Primary Assemblies varied according to local conditions; sometimes it was the hall of the Assembly, sometimes the pavilion of the local temple, sometimes even a tamarind or a banyan tree. All respectable householders were entitled to attend; in actual practice about 200 or 300 persons generally participated in the meetings. The Primary Assemblies used to meet when the Village Council had to be constituted. In the Agrahāra villages of Tamil country the executive committees were usually constituted by drawing lots; in other places probably names were previously discussed informally by the leading residents, and when it was felt that they were generally acceptable, they were formally proposed in the Primary Assemblies and accepted by them. It is very unlikely that there was any regular voting as in modern times.

Meetings of the Primary Assemblies were also probably convened when matters of unusual importance like the sale of public land to mitigate the miseries of famine were to be considered. Elderly members alone must normally have taken part in the discussion as in ancient Greece. Occasionally, however, persistent opposition was raised by mischievous persons; for we have a rule made by one Tamil assembly prescribing a fine of five kāsus for persons guilty of this mischief.[2]

It was also customary to convene a meeting of the whole Village Assembly, when donations were to be accepted on behalf of the community. In Karnāṭak in particular, it was customary for the assembly to assure the donor on such occasions that the donation will be used for the purpose intended. The convening of the Primary Assembly on such occasions was no doubt a suitable way of showing the community's grateful appreciation of the donor's action.

1. *Arthaśāstra,* Bk. II. Chap. 1.
2. *S. I, E. R.,* No. 423 of 1906.

Very little is known about the procedure of the meetings of, the Village Council or the Panchāyat. Probably the village headman in Northern India and the Deccan and the *madhyastha* in Tamil country presided over the meetings, which were usually held in the village office (*chāvaḍi*). The village accountant must have kept a record of the proceedings in the village office, especially when grants were accepted or tax exemptions granted. Sometimes the important resolutions on such matters were got engraved on the walls of the village temple; that is how we happen to know about them after the lapse of ten centuries.

We shall now consider the relations between the Central Government and the Village Council. No doubt some Smṛitis occasionally state that the Village Councils derive their power from the king or the Central Government.[1] This statement, however, indicates the greater power of the Central Government, but is not historically true. Most of the dynasties in ancient India used to flourish for about two centuries. The village communities and councils were, on the other hand, of hoary antiquity and derived their powers from immemorial custom and not from any charter or delegation from the Central Government. When the Central Government became more organised and developed, it often sought to control and curtail the powers of the Village Councils. Sometimes king's officers are seen to be present, when the Primary Assemblies met to change their constitution;[2] sometimes the rules are stated to have received the approval of the king himself.[3] These, however, were rather exceptional cases; it is not unlikely that king's officers may have been occasionally present because they happened to be in the village; and that the king may have accorded approval to proposals formally submitted to him by the Primary Assembly. A perusal of the evidence, however, clearly suggests that usually the village Primary Assemblies themselves determined the constitution of their committees and not the Central Government. The same probably was the case in northern India as well. There the Village Council consisted of only about five persons, who were raised to that body by the general approval of the whole community. There was hardly any scope for the Central Government to dictate any constitution.

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1. *Yājnavalkya*, II. 30.
2. As at Uttaramerur in 919 A. D. *A. S. I.*, 1902, p.
3. No. 148 of 1927.

Numerous inscriptions from northern and southern India, giving king's orders issued to the village headman and the Village Council, show that the Central Government used to have a general power of supervision and control over the village government. This control was exercised by the occasional summoning of village headman to the district headquarters to explain and clarify matters, as also by the periodical despatch of inspection officers to villages to supervise their accounts and general administration. Periodical auditing of the village accounts by the inspecting staff of the Central Government is frequently referred to in Chola records, and it must have been done in all other administrations as well. Members of the council were removed for misconduct by the Assembly itself; but sometimes they were also fined by the Central Government.[1] If there was a dispute between two Village Assemblies, the case must have been normally referred to the Central Government; we have, however, an instance on record when such a case was referred to the arbitration of a third Village Assembly.[2]

It will be thus seen that the Central Government exercised only a general supervision and control over the Village Assemblies and their Councils. It left the initiative to the Village Councils which enjoyed large powers. They made effective arrangements for the defence of the community, collected the taxes of the Central Government and levied their own, settled village disputes, organised works of public utility and recreation, functioned as trustees and bankers, raised public loans to mitigate the miseries of famines, organised schools, colleges and poor houses and arranged for their funds, and supervised the manifold religious and cultural activities of the temples. There can be no doubt that they exercised greater powers than those that are at present enjoyed by the local bodies in most countries, both of the east and of the west. They played an important and creditable part in defending the interests of the villagers and in promoting their material, moral and religious progress.

1. *S. I. E. R.*, No. 192 of 1915; No. 268 of 1910.
2. *Ibid.* No. 89 of 1932.

CHAPTER XII

INCOME AND EXPENDITURE

Sound finances are absolutely necessary for a stable and prosperous state. The importance of this proposition was well realised by ancient Indian political thinkers. They have included prosperous treasury and ample reserve funds among the essential constituents of the state and have declared that any deterioration in this connection would be one of the most serious national calamity.[1]

Vedic literature, owing to its predominently religious nature, naturally supplies meagre information about the revenues of the state in the contemporary times. In the earliest period, the king's power was not well established and the taxation seems to have been occasional and voluntary, the king probably supporting himself, his retinue and meagre administrative staff out of the proceeds of his own lands, pastures and herds. The term *bali*, originally used to denote voluntary offerings made to gods for securing their favour,[2] came to be applied later to the presents and taxes offered to the king, more or less voluntarily. It is also significant to note that a prayer is often offered on behalf of a king, restored to the throne after an earlier deposition, th... Indra may compel his subjects to pay him his dues and taxes,[3] or that he may have the good fortune to see ample presents brought to him by his subjects.[4] These prayers suggest that people were not yet quite accustomed to pay regular taxes to the state as a matter of normal liability.

There was a change in the situation in the course of time. In the coronation ritual of the later Vedic literature, the king is described as the 'eater of his subjects';[5] this metaphor was obviously suggested by the regular payment of taxes

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1. कोशमूलाः कोशपूर्वाः सर्वारम्भाः । तस्मात्पूर्वं कोशमवेक्षेत । *A. S.* II. 2. कोशमूलाः हि राजानः कोशो वृद्धिकरो भवेत् । *Mbh.*, XII. 119. 16. कोशमूलो हि राजेति प्रवादः सार्वलौकिकः । *Kāmandaka,* XIII. 33.

2. Cf. *R. V.,* V. 1. 10.

3. अथा ते इन्द्र केवली: प्रजा बलिहृतस्करत् । *R. V.,* X. 173. 6.

4. *A. V.,* III. 4. 3.

5. विशामत्ता समजनि । *A. Br.,* VII. 29.

by the people to the king which enabled him and his officers to live in dignity and pomp.

In the Vedic period, Brāhmaṇas were engaged in the unproductive profession of priesthood, and the Kshatriyas werĕ mostly occupied in conquering and annexing new territories; the Śudras held no property. The incidence of taxation, therefore, naturally fell heavily on the Vaiśyas who were engaged in the productive professions of agriculture, trade and cattle-rearing. The Vaiśya is, therefore, often described as the payer of tributes and taxes.[1] It is not, however, to be supposed that the other classes escaped altogether; for the king is often described as taxing all his subjects.[2]

We have already shown in Chapter V how in early times the king was but the president of a council of nobles. It is not unlikely that the latter also may have often imposed their own tributes. This conjecture derives some support from a statement in the Brāhmaṇa literature that the weak have to offer tributes to the strong.[3]

Bhāgadhuk, 'the collector of the (royal) share', and *samāhartā* 'the bringer (of tributes)', who figure as members of the king's council (*ratnins*) at this period were probably concerned with duties of the taxation department. Probably the former collected the taxes and tributes which were mostly in kind and the latter stored them in the royal granary and treasury.

The state derived its revenues from the agriculturists and cattle-breeders. The farmers paid a certain portion of the produce of the crops, the amount of which is not disclosed by the Vedic literature. The cattle-breeders formed a much more important class in the Vedic than in the succeeding ages, as the society was then just emerging from the pastoral stage. They paid taxes in the form of cows, bulls and horses,[4] a certain per cent of the herds being claimed by the state.

Apart from taxes from their subjects, Vedic kings often used to receive tributes from conquered chieftains.[5] Trade and commerce were not held in high esteem in the Vedic

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1. अन्यस्य बलिकृत् । *A. B.*, VII. 29. See also *S. Br.*, XI. 2. 6. 14.
2. विशोऽद्धि सर्वा: । *A. V.*, IV. 22. 7.
3. *S. Br.*, XI. 2. 6. 14.
4. एमं भज ग्रामे अश्वेषु गोषु । *A. V.*, IV. 22. 2.
5. *R. V.*. VII. 18. 19.

age and do not seem to have made any appreciable contri-
bution to the royal exchequer.   Whether mines were actively
worked and were regarded as state property we do not know.

Hopkins has advanced the view that the taxation in the
Vedic period was oppressive and grinding.   Instead of check-
ing the predatory tendencies of the king, the priests of the
age, he says, encouraged the king to devour his subjects.[1]
This view is however untenable.   Hopkins is misled by the
phrase *viśāmattā*, 'the eater of the people' used to describe the
king.   As observed in the *Vedic Index*, 'this phrase may have
had its origin in a custom by which the king and his retinue
were fed by the people's contributions, a plan with many
parallels'.[2]   In the Brāhmaṇa literature, the term *attā* is often
used in the sense of the enjoyers; for instance, in one place
the husband is described as the *attā* (enjoyer) and the wife as
ādya, the object of enjoyment.[3]   It would be too far fetched
to argue that these terms indicate that the husband was the
eater or the oppresser of his wife.   The expression 'the eater
of the subjects', it must be further remembered, is obviously
used metaphorically in a coronation proclamation intended
to describe the pomp and power of the king in the most grand-
eloquent manner; "Here comes into existence today the ruler
of all people, the eater of the subjects, the breaker of forts,
the destroyer of demons, the protector of *Brāhmaṇās* and
dharma".   We have shown already in Chapter V how the king's
position was far from secure in the Vedic period and how
the Assembly (*samiti*) exercised a fairly effective control over
his actions.   It is, therefore, unlikely that people would ever
have suffered from grinding taxation in that age.

Very little definite is known about the system of taxation
during the post-Vedic and pre-Mauryan period.   Jātakas may
be presumed to give us a glimpse of this age, but their in-
formation is meagre.   They tell us how good kings levied
only legal taxes and how bad rulers oppressed the subjects so
much by illegal imposts that they would often flee to forests
to escape from tax-collectors.[4]   These statements hardly enable
us to have a proper picture of the taxation system.

1.   Hopkins. *India Old and New*, p. 240.
2.   *Vedic Index*, under *Rājan*.
3.   *S. Br.*, I. 8. 3. 6.
4.   See *Jātakas*, IV. p. 399; V. 98-9; p. 101: II. p. 17.
     The tax collectors are called *balisādhakas* or *balipaṭigāhakas* in the
     Jātakas, terms reminiscent of *ba li*,the Vedic word for taxes.

With the Mauryan period we come on firmer ground. The *Arthaśāstra*, the Dhramasūtras and the Smritis supply considerable data, which can, to a great extent, be checked by the statements of Greek writers and the contents of contemporary state documents preserved in stone inscriptions and copper plates.

It would be convenient to discuss at the outset the general principles of taxation. Nothing can be more admirable and less flawless than the scheme propounded by the Smritis and epics in this respect.

(1) The taxation was to be reasonable and equitable; the king was never to forget that nothing exposed him to greater hatred than oppressive taxation.[1] The gardener plucks fruits and flowers, but does not harm the trees; the bee sucks the honey but does not damage the flower;[2] in the same way the king should collect his taxes, but should not cause any sufferings to his subjects. One who kills the goat can at best get one meal; one who feeds it well can get milk for several years.[3]

(2) The criterion of equitable taxation was that the state on the one side and the agriculturist or the trader on the other should both feel that they have got a fair and reasonable return for their labours.[4]

(3) In the case of trade and industry, the taxation was to be on net profits and not on gross earnings.

(4) An article was to be taxed only once and not twice.[5]

(5) If increase in taxation becomes inevitable, it should be gradual and not sudden and steep.[6]

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1. प्रद्विषंति परिस्यातं राजानमतिखादिनम् । *Mbh.* XII. 87. 19.

2. फलार्थी नृ९तिलोंकान्पालयेद्यत्नमास्थितः ।
दानमानादितोयेन मालाकारोंऽकुरानिव । *Panchatantra,* I. 243.

3. अजामिव प्रजां हन्याद्यो मोहात्पृथिवीपतिः ।
तस्यैका जायते प्रीतिर्न द्वितीया कदाचन ॥ *Ibid.* 242.

4. विक्रयं क्रयमध्वानं भक्तं च सपरिव्ययम् ।
योगक्षेमं च संप्रेक्ष्य वणिजो दापयेत्करान् ॥ *Manu,* VII. 127.
न हीनसममूल्याद्धि शुल्कं विक्रेतृतो हरेत् ,
लाभं दृष्ट्वा हरेच्छुल्कं क्रेतृतश्च सदा नृपः ॥ *Sukra,* IV. ?. 111.

5. वस्तुजातस्यैकवारं शुल्कं ग्राह्यं प्रयत्नतः । *Sukra,* IV. 2. 19.

6. अल्गेनाल्पेन देयेन वर्धमानं प्रदापयेत् ।
ततोभयस्ततो भूयः क्रमवृद्धिं समाचरेत् ॥
दमयन्निवदम्यानि शश्वद्द्वारं विवर्धयेत् ॥ *Mbh.* XII. 88. 7-8.

(6) Extra taxation was to be imposed only in times of national calamity after taking comprehensive steps to explain the situation to the people with a view to ensure a willing response. The king was never to forget that it was only an exceptional remedy to be adopted only when there was no other alternative.[1]

There can be no doubt that the above principles will be universally recognised as sound, applicable as much in modern as in ancient times. How far they were actually given effect to in the ancient times, we shall discuss later (pp. 208-9).

Equally sound principles have been enunciated about partial or total remission in the normal taxation, when the situation justified such concession. Both the *Arthaśāstra* and *Śukranīti* recommend that if enterprising persons bring fresh land under cultivation or seek to make it more fertile and productive by irrigating it with water from tanks built by themselves, the state should charge only a nominal tax in the beginning and gradually raise it to the normal rate during a period of four or five years.[2] There is ample evidence to show that governments in ancient India were actually following this advice down to the 18th century.[3]

Military villages were exempted from taxation in consideration of the regular supply of recruits which they ensured for the army.

Exemption from taxation has been recommended also on the ground of incapacity in the case of the dumb, deaf and blind persons, who are usually poor. Students studying at *gurukulas* and hermits practising penance in forests were not earning members of society and were, therefore, not to be taxed. Women in early times could hold only a negligible amount of property and have, therefore, been also recommended for exemption from taxation.[4] When later on their

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Mbh. XII. 87. 26-39, *Śukranīti*, IV. 2. 10.

Arthaśāstra, Bk. VI. Chap. 9; *Śukranīti*, IV. 2. 122.

E. C., III. Seringapattan, No. 148; No. 422 of 1912 *I. M. P.*, Vol. II. Madura No. 3A.

अकरः श्रोत्रियः । सर्ववर्णानां स्त्रियः । कुमाराश्च प्राग्व्यंजनेभ्यः । ये च विद्यार्थी वसंति । तपस्विनश्च ये धर्मपराः । शूद्रश्च पादावनेक्ता । अंधबधिरमूकरोगाविष्टाश्च । *A. D. S.*, II. 10. 26, 1 -17.

E. C., IV. Chamarajanagar, No. 186 and Yelandur No. 2 supply concrete evidence to show that this precept was followed in practice. The latter record states that if a woman lost her living, she should be not only exempted from the payment of five *varāhas*, but be given an unemployment bonus of six *varāhas*.

right of inheritance was recognised, only poor widows and destitute women must have got the benefit of this concession.

Dumb, deaf and decrepit persons required greater protection from the state. The Hindu theory that taxation was a payment for protection would normally result in heavier taxes being imposed upon such persons. But humanitarian considerations were given greater weight than the above theory and persons of the above category were universally exempted from taxation.

Smṛitis further recommend that learned Brāhmaṇas (śrotriyas) should be also exempted from taxation.[1] An ideal śrotriya was vowed to poverty and was required to impart higher Vedic and Sanskritic education free to all students. There is ample evidence to show that they were discharging this duty in spirit as well as in letter, and it was but meet that the state should have exempted them from taxation. In many cases, however, revenues of whole villages (known as agrahāra villages) were assigned to learned Brāhmaṇas for their maintenance; when such was the case, they were usually required to pay a quit rent.[2] This was but fair, for they could no longer put forth the plea of poverty. If however, the share, which Brāhmaṇa scholars obtained in the revenue, was very small, they were often granted full exemption from taxation.[3] But such cases however were exceptional.

The whole of the Brāhmaṇa class, however, has been recommended for exemption from taxation by some Smṛitis.[4] Opinion seems to have been divided on this point, for the Mahābhārata emphatically declares that those among the Brāhmaṇas, who were holding lucrative appointments in the government service, or those who were following the money-making professions like trade, agriculture and cattle-rearing, were to be charged usual taxes and cesses at their full

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1. त्रियमाणोऽप्याददीत न राजा श्रोत्रियात्करम् । *Manu*, VII. 133.

2. Thus the agrahāra village of Dindugura had to pay a revenue of 100 nishkas, and that of Keśavapura 350 nishkas. E. C. V. Channarayapattana, Nos. 173 and 179.

3. I. M. P., I. 73. In this case, however, we find that the full exemption given to Brāhmaṇas was not respected by some of the succeeding rulers,

4. Cf., for instance, ब्राह्मणेभ्यः करादानं न कुर्यात् । ते हि राज्ञो धर्मकरा: ।
        Vishṇu, III. 25-26.

rates.[1] When Brāhmaṇa writers themselves differed on this point, it is but natural that all states should not have regarded the recommendation as binding. We do get occasional cases of the entire Brāhmaṇa class being exempted from certain taxes. Thus a record of king Somasiṁhadeva of the Paramāra dynasty,[2] another of king Achyutarāya of Vijayanagar[3] and two from Guntur district[4] describe how taxes were remitted in the case of Brāhmaṇas in medieval times; but they also prove that the exemptions were new and unusual ones. The available evidence shows that such exemptions were not the rule, but the exception; hence the great credit claimed for them by the kings concerned.

This is clearly proved by some concrete cases from south India where we find the lands of Brāhmaṇa owners being sold away for the non-payment of the government dues. One record (c. 1229 A. D.) shows that even the Brāhmaṇa donees of agrahāra villages had to pay interest on the land tax remaining in arrears. The state, however, did not wait for more than three months; at the end of this period it would sell away the shares of the defaulters.[5] Another record shows that the period of waiting was often extended to two years,[6] at the end of which the sale could not be stopped except by the full payment of the state dues. We have no such cases recorded in northern India, but we shall not be far wrong in stating that the exemption from taxation seems to have been enjoyed by the entire Brāhmaṇa community only on rare occasions. As a general rule all Brāhmaṇas had to pay t   s, excepting those who were learned and poor and had received no state patronage.

Temples, which owned extensive lands, were naturally not exempted from taxation. Sometimes, if their income

1. येजाविमहिषाणां च वडवाना च पोषका: ।
   वृत्यर्थं प्रतिपद्यन्ते तान् (विप्रान्) वैश्यान्संप्रचक्षते ॥४॥
   ऐश्वर्यकामा ये चापि सामिषाश्चैव भारत ।
   निग्रहानुग्रहरतांस्तान्द्विजान्क्षत्रियान् विदुः ॥५॥
   अश्रोत्रियाः सर्वे एते सर्वे चानाहिताग्नयः ।
   तान्सर्वान्धार्मिको राजा बलिं विष्टिं च कारयेत् ॥७॥

                                                   Mbh. XII. 76. 4-7.

2. *E. I.*, VIII. p. 208.

3. *I. M. P.*, Vol. III. Nos. 768 and 946.

4. *I. M. P.*, I. p. 22.

5. *E. C.*, V. Arsikera, No. 128.

6. *I. M. P.*, II. p. 1245.

was small, only a quit rent was charged; but usually the full rate was in operation. We have cases of temples selling part of their lands in order to pay the government revenues due from them;[1] sometimes we even find their lands being sold away by government for default in the payment of land tax.[2]

Let us now survey the field of taxation. Land tax was, as in later times, the main stay of the government revenue. It is referred to in inscriptions, sometimes as *bhāgakara* and sometimes as *udraṅga*. Smṛitis lay down no uniform rate of taxation; the percentage they recommend varies from eight to thirty-three.[3] This variation must be due partly to the quality of land; it is clear, for instance, that Manu could not have the same types of land in his view when in the same breath he recommends that the land taxation should be either 8 or 12 or 16 per cent.[4] Kullottuṅga Chola is known to have divided land into eight classes for the purpose of taxation.[5] The non-agreement among the Smṛitis must be partly due also to the varying practices of the different states or to the different rates charged by one and the same government at different times to meet its varying needs.[6] The normal procedure, however, was to charge one-sixth of the produce as the land tax; the tax collectors were often called *shashṭhā-dhikṛitas*, as in Bengal[7] and Bundelkhand.

Land tax at 16% was, however, found insufficient for their needs by states which had chalked out a policy of imperial expansion. The testimony of the *Arthaśāstra*[8] and the Greek writers[9] shows that the Mauryan state charged 25% tax on agricultural incomes; the concession, which Aśoka showed to the inhabitants of Lumbini, because the Buddha was born in their village, consisted in the reduction of this usual percentage to half.[10] Under the Cholas in the 11th

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1. No. 57 of 1890.
2. *I. M. P.*, II. p. 1322.
3. *Manu*, VIII. 130; *Gautama*, X. 24-27; *Arthaśāstra*, V. 2.
4. धान्यानामष्टमो भाग: षष्ठो द्वादश ए . वा ॥ VII. 130.
5. *I. M. P.*, I. pp. 129-130.
6. षड्भागमुपलक्षणं यावता प्रजानां पीडा न स्यात् तावदेव प्रजापालन-स्यावश्यकत्वात् ॥ *Smṛitiratnākara*, p. 62.
7. Sen, *Inscriptions from Bengal*, No. 1.
8. V. 2.
9. Megasthenes, I, 46.
10. Cf. हिद भगवं बुधे जातेति लूंबिनिगामे उबलिके कटे अठभागिये च ।
Rumindei Inscription.
The *Rāmāyaṇa*, III. 16. 14 also suggests 25 per cent tax.

century, the taxation was 20% on the dry lands and 33% on rice lands irrigated by tanks.[1] In the reign of Rājādhirāja the temples are seen paying a quit rent of 10%;[2] the charge on the lands of ordinary cultivators must, therefore, have been higher, probably varying from 20 to 30%.

It is difficult to state whether the percentage of the land tax, mentioned above, refers to gross or net produce. The Jātaka literature shows how the government agents were present on the fields when the yield of the crops was garnered; so the share they claimed must have been of the gross produce.[3] There is, however, no definite evidence to show that the government did not make an allowance for the cost of agriculture, when it was charging a tax as high as 25 or 33%. The *Śukranīti*, which permits 33% taxation, definitely states that the cultivator should get as his net income twice the amount which he spends by way of the land-tax and the cost of production.[4] This would show that the share claimed by the state would be about 16% of the gross produce and 25% of the net income.

When the cultivator suffered owing to an adverse change in the circumstances, e.g. the land becoming sandy due to the encroachment of the sea, the state used to remit or reduce the tax as demanded by the situation.[5] In all cases, however, an automatic relief was obtained to a certain extent, for the dues were usually collected in kind; if the yield was less, the state naturally got less.

The evidence to show that the land tax was usually paid in kind is overwhelming. The very term used to denote it, *bhāgakara*, the tax in the form of a share, suggests that it was paid as a part of what was actually produced in the field. In the Jātakas the tax collecting officer is called *droṇamāpaka*, 'the measurer of the corn by the *droṇa* measure'. They also narrate the stories of overscrupulous land-owners regretting their conduct in casually taking a handful of rice blades from their own fields, because the king would not thereby get a share in that part they had thus removed earlier;[6] the *Arthaśāstra*

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1. *E. C.*, X. Mb. Nos. 44(a) and 107.
2. *I. M. P.*, I. p.
3. II. p. 378.
4. राजभागादिव्ययतो द्विगुणं लभ्येत यतः ।
   कृषिकृत्यं तु तच्छेष्ठं तन्न्यूनं दुःखदं नृणाम् ॥ IV. 2. 115.
5. *I. M. P.*, I. p. 136.
6. II. p. 378.

imposes a fine for such conduct.[1] State used to have huge granaries at different centres, where the corn collected in taxes was stored. Officers in their charge used to dispose of it before its quality started to deteriorate on account of the action of time or insects.[2]

A few records, however, show that the land tax was in some localities collected in cash after about the 9th century A. D. A 10th century Gurjara Pratīhāra record from the U. P. assigns 500 *drammas* for a temple out of the revenues of a certain village.[3] An inscription from Orissa of about the same period records the gift of a village yielding 42 *rūpyas* or silver coins.[4] Two 11th century inscriptions in the Rāja-rājeśvara temple record the amount of the government revenue from 35 villages; in the case of 30 of them, the taxation was levied in kind at the rate of 100 *kalams* of paddy per *veli*; but in the case of 5, it was collected in cash at the rate of 10 gold *kalañjus* per *veli*.[5] It thus appears that cash taxation was introduced in some cases from about the 9th century A. D. These, however, appear to be exceptional cases.

When the land tax was collected in kind, the annual dues must naturally have been recovered at least in two instalments at the time when the autumn and spring crops were garnered.[6] A Gujarat record, however, shows that it was sometimes collected in as many as three instalments under the Rāshṭrakūṭa administration.[7]

There was no permanent settlement of the land tax. The large variation in percentage permitted by the Smṛitis natu-rally rendered its enhancement possible, when required by the exigencies of the state finance. On the other hand, when canals irrigating certain fields dried up, their taxes had to be reduced. An inscription from Banavāsi shows that the state in ancient times did not fail to grant the needed relief on such occasions.[8]

1. II. 22.
2. *Śukranīti*, II. 26-29.
3. *I. A*, XVI. p. 174.
4. *E. I.*, XII. p. 20.
5. *S. I. I.*, II. Nos. 4 and 5.
6. This practice has been recommended by Bhaṭṭasvāmin (at *Artha-śāstra*, II, 15) and Kullūka (at *Manu*, VIII. 307).
7. *I. A.*, XIII. p. 68.
8. *E. C.*, VIII. Sorab, No. 83.

When the land-owner failed to pay the land-tax, his land was sold away after a certain period, which varied from place to place and time to time. Under Rājendra Chola the period of grace extended to three years,[1] but it was reduced to two by Kulottuṅga.[2] Interest was often charged on the amount in arrears. We have shown already how this principle was allowed to operate even in the case of lands belonging to Brāhmaṇas and temples. It is, however, rather surprising to find that Smṛitis should nowhere refer to the state's right to forfeit the lands of the defaulting owners. Was this right claimed only after *c.* 900 A. D. ?

It would be convenient to discuss here the question about the ownership of cultivable land. For, if we regard the state as its owner, the amount which the cultivator paid would be land revenue and not land-tax; if on the other hand, the ownership vested in private persons, the same amount would be a land-tax.

It is but natural that in ancient as in modern times opinion should have differed on this important point. A verse in the *Manusmṛiti* states that the king is the owner of the treasures buried under ground, because he is the owner of the land;[3] this suggests state-ownership of all land, including the cultivable one. Bhaṭṭasvāmin, the commentator on the *Artha-śāstra*, quotes a verse averring that private ownership can have no application in the case of land, tanks and ater pools.[4] Diodorus states that land in India is the property of the crown and no private individual is permitted to own it. As against these three authorities, the testimony of none of whom can be regarded as conclusive on the point,[5] we have the

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1. *S. I. I.*, Vol. III. No. 9.
2. *I. M. P.*, Vol. II. p. 1245.
3. निधीनां तु पुराणानां धातूनामेव च क्षितौ ।
   अर्धभाग्रक्षणाद्राजा भूमेरधिपतिर्हि सः ॥ VIII. 39.
4. राजा भूमेः पतिदृष्टो शास्त्रज्ञैरुदकस्य तु ।
   ताभ्यामन्यत्तु यद्द्रव्यं तत्र स्वाम्यं कुटुंबिनाम् ॥ Bk. II. Chap. 24.
5. Manu may have put forth the theory of the state's ownership of the entire land merely to find an argument for its claim to hidden treasures. The verse quoted by Bhaṭṭasvāmin may be interpreted merely as a general claim to all land and water; it may be compared to the sovereignty in land, sea and air, which is claimed by the modern state   Greek writers may have generalised from the crown lands.
   What was Yuan Chwang's impression about the ownership of land is difficult to make out from his few observations. Vol. I. p. 176.

definite evidence of the *Pūrvamīmānsā* stating that a king
cannot dispose of the lands of private individuals, when he
is called upon to gift away all his possessions in charity at the
end of certain sacrifices.[1] The *Arthaśāstra* also clearly diffe-
rentiates between the crown lands and private lands.[2] Nārada
points out that it would be highly iniquitous if the king pro-
ceeded to interfere with the ownership and possession of houses
and lands, for it would result in utter chaos.[3] Nīlakanṭha
definitely declares that although an emperor is the lord of the
entire earth, the onwership in different fields belongs to their
several private owners, and not to the state.[4]

In pre-historic times, however, the ownership in land
was regarded as vested in the whole community. This is
suggested by the view of some authorities, which hold that
the transfer of land can become valid only if assented to by
the entire body of villagers, agnates and castemen.[5] The
communal ownership of land did not, however, permit the
state to dispossess an individual of the land he owned; it
merely restricted his power of its disposal, lest an unwanted
or undesirable person should be introduced in the village
community to disturb its peace. It is interesting to note
that in the Vedic age even the king was permitted to gift a
piece of land only when the adjacent residents agreed to
the proposal.[6]

"The theory of the communal ownership of land, that
was accepted in pre-historic times, has left its trace and

1. Śabara comments as follows :—
   न भूमिः स्यात्सर्वान् प्रत्यविशिष्टत्वात् ॥ VI. 7. 3.
   य इदानीं सार्वभौमः स तर्हि भूमिं दास्यति । सोऽपि नेति ब्रूमः । कुतः ।
   ......। सार्वभौमत्वे त्वस्यंतदेवाधिकं यदसौ पृथिव्यां सभूतानां
   व्रीह्यादीनां रक्षणेन निर्दिष्टस्य कस्यचिद्भागस्येष्टे न भूमेः ।
2. Bk. II., Chap. 23.
3. गृहक्षेत्रे च द्वे दृष्टे वासहेतू कुटुंबिनाम् ।
   तस्मात्ते नाक्षिपेद्राजा भूमेरधिपतिर्हि सः ॥ Chap. XI. 42.
4. तत्तद्ग्रामक्षेत्रादौ स्वत्वं तु तत्तद्भौमिकानामेव । राज्ञां तु करग्रहण-
   मात्रम् । अत एव इंदानांतनपारिभाषिकक्षेत्रदानादौ न भूदानसिद्धिः ।
   किंतु वृत्तिकल्पनामात्रमेव ।
                    Vyavahāramayūkha, Svatvāvagama Chapter.
5. स्वग्रामज्ञातिसामन्तदायादानुमतेन च ।
   हिरण्योदकदानेन षड्भिर्गच्छति मेदिनी ॥ *Mitākṣarā* on *Yāj.*, II. 113.
6. *S. Br.*, I. 7. 3. 4. VIII. 1. 1. 8.

influence only in two matters in the historic period. The
state's claim to eject the land owners, who do not pay
the land-tax, is similar to that of the land-lord to evict a
tenant, who does not pay the rent of his house. It clearly pre-
supposes the state's ownership in land. The ownership in
waste lands, forests and mines, which the state claimed in
historic times, was originally based upon its claim to the
entire land in the realm.

There is conclusive and overwhelming evidence to show
that at least from *c.* 600 B.C. the ownership of private indi-
viduals in their arable land could not be affected by the
action of the state, except when there was a failure to pay the
land tax. People could freely gift away, mortgage or sell
their lands. Ambapallī and Anāthapindika gave extensive
plots of land to the Buddhist *samgha* at Vaiśālī and Śrāvastī.
In the Jātakas, we find a Brāhmaṇa of Magadha giving away
his portion of land to another.[1] Inscriptions also record
numerous gifts of land made by private individuals without
any let or hindrance from the state.[2]

It is no doubt true that some state grants record the
gifts of entire villages to Brāhmaṇas or temples ; but this
procedure does not support the theory of the state owner-
ship of the arable land. For, what the grants assign in most
of these cases is the state's right to receive the various taxes,
including the land-tax ; they never effect any change in the
private ownership of the landed property included in the
village. The grant never calls upon private owners of the
lands situated in the village to surrender their property to the
donee ; it simply exhorts them to show him proper courtesy
and respect and pay all the state taxes in cash and kind, not to
the state officers but to the new grantee. Future kings are
requested to desist, not from taking possession of the village
land, but from receiving the various taxes due from them.[3]

We have also many records which transfer full owner-
ship in land to the donee. In such cases, however, not the
entire land in the village, but certain small pieces situated in

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1. IV., p. 281.
2. *E. I.*, VIII. Nasik, No. 9.
3. Cf. ते यूयं समुचितभागभोगकरहिरण्यादिप्रत्यायोपनयनं करिष्यथ
आज्ञाश्रवणविधेयाश्च भविष्यथ ॥ *C. I. I.*, III. p. 118.
   See also Khoh copperplate grants, *Ibid.* pp. 126, 133; Pali grants,
   E. I., II. p. 304; Barah grant, *E. I.*, XIX. p. 15.

it, often detached, are usually transferred. Thus Dhruvasena I
of Valabhi wanted to give 360 *pādāvartas* of land ʿto a
temple in his kingdom; he gave four pieces of land situated
to the north-west and four others situated to the north-
east of the village, eight together measuring 300 *pādāvartas*;
and two other fields, one of 40 *pādāvartas* and the other
of 20 *pādāvartas,* both irrigated by wells.[1]

The donee in this case would certainly have preferred to
get one entire connected piece of land measuring 360 *pādāvartas*,
and the king also would certainly have given such a piece,
were he the owner of the entire cultivable land in the village.
If he gave disconnected pieces, the reason must be that the
state possessed only a few fields in the village, the ownership of
which had accrued to it, either through failure of heirs or
through the non-payment of the land tax. As in modern days
so in ancient times, state used to acquire ownership in some
such pieces of land in most villages ; they have been expressly
described as *rājyavastu* or state property in some records.[2] When
kings wanted to donate, not land revenues but landed pro-
perty, they used to give such small and usually disconnected
pieces under their ownership.[3] Sometimes when kings did
not own any land, they used to purchase the piece they
wanted to give; thus we find a Vaidumba king (*c.* 950 A. D.)
purchasing three *velis* of land from a village assembly in order
to assign them to a temple. Some Chola records also expressly
refer to the previous purchase of the rights of the former
owners and hereditary proprietors, when the state wanted
to assign, not land revenue but land itself, in villages where
it possessed none of its own.[4]

Some records, however, supply still more convincing
evidence on the point. Thus the emperor Amoghavarsha of
the Deccan (*c.* 850 A. D.) is seen donating the village of
Taleyur and also a flower garden, 500×150 cubits in dimen-
sion, *situated in the same village.*[5] King Govindachandra of the

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1. *E. I.,* III. p. 321.
2. चेंडलुरग्रामे राज्यवस्तु भूत्वा स्थितं क्षेत्रं ब्राह्मणाय प्रदत्तम् ।
                                                                                 E. I., I. p. 235.
3. For other instances of the gift of small pieces of land see, *I. A.,* IX.
    p. 103 (Andhradeśa, 3rd century *A. D.*); *E. I.,* III. pp. 260-62
    (C. P., 5th century); *I. A.,* VI. p. 36 (Tamil country, 6th century) ;
    E. I., VI. p. 56 (Mysore, 10th century); *I. A.,* VI. p. 203 (Gujarat,
    13th century).
4. *S. I. I.,* III. pp. 104-6.
5. *E. I.,* VI. p. 29.

U. P. (*c.* 1150 A. D.) is found giving the village of Lolisapāda *along with the field named Tiyayi situated in it.*[1] If the donation of a village had meant the transfer of the ownership of the entire land situated in it, it would not have been necessary to specify the further gift of certain gardens or fields in it.

We thus possess conclusive evidence to show that in the post-Buddhist period at any rate the ownership in cultivable land was vested in private individuals; the state could not interfere with it except for the non-payment of the land-tax. What it claimed from the average cultivator was thus not a land rent but a land tax.

Let us now proceed with our survey of taxation. Trade and industry had to bear their own burden like agriculture. Traders had first to pay octroi duties that were levied on most of the articles imported in the town or village at varying rates. The state justified these duties on the ground that it had to spend considerably for the up-keep and protection of roads on which the merchandise was carried.[2] The duties were usually collected at the gate of the town or village by customs house officers usually known as *śaulkika.*[3] They had to be paid sometimes in cash and sometimes in kind according to the local usage. The rules in the Smṛitis suggest that the payment was usually in kind;[4] sometimes we come across inscriptions stating the actual quantity of ghee, oil, cotton, betel leaves, etc., that was collected as customs dues in different places.[5] Cash collections also were not unknown, and they must have been usual in the case of the imports of gold, silver and jewels. Assignments in cash against the income of the toll houses, which we sometimes come across in inscriptions,[6] show that probably people had the option to pay the customs dues in cash as well, if they so liked.

Customs duties varied according to the commodities as in modern times. Manu recommends a 16 percent duty on

1. *Ibid.* VII. pp. 203-4.
2. मार्गसंस्काररक्षार्थं मार्गगेभ्यः फलं हरेत् । *Śukra,* IV. 2. 29.
3. *I. A.,* XXV. p. 18 (Kumaon, 9th century);
   Sen, *Inscriptions from Bengal,* No. 1 (Bengal, 8th century).
4. आददीताथ षड्भागं द्रुमांसमधुसर्पिषाम् ।
   गंधौषधिरसानां च पत्रमूलफलस्य च ॥ *Manu,* VII. 131.
   Cf. also *Śukra,* IV. 2. 121; *Arthaśāstra,* II. 22.
5. *E. I.,* III. p. 36.
6. *E. I.,* I. No. 16.

fuel, meat, honey, ghee, scents, medicines, flowers, vegetables, earthen pots and leather goods.[1] The *Arthaśāstra*, however, recommends a lighter tariff of 4 to 5% on medicines, fuel, leather goods and earthen pots. Cotton stuffs also paid the same duty, but wines and silken pieces were charged a higher duty varying from $6\frac{1}{2}$ to 10%.[2] It is clear that the tariff differed from province to province and age to age according to the needs and policy of the different governments. There is ample epigraphical evidence to show that most of the articles mentioned in this connection by the Smṛitis had to pay the customs duty, though we are not usually informed about its incidence.[3]

Kauṭilya recommends that commodities intended for religious ceremonies and Sanskāras like sacrifices, marriages etc., as also presents given to the bride, should be exempted from octroi duties (II. 21).

Along with the customs duty, we may refer here to the ferry tax that had to be paid for passengers, goods, cattle and carts. As a general rule it was a small impost.

In addition to the customs duties and ferry tax, trade had to bear some other burdens as well. Some states used to test and stamp weights and measures and charge a small fee for the same.[4] A shop tax, which is to be rarely met with in Smṛitis, is frequently referred to in inscriptions. It existed in the Deccan under the Yādavas ;[5] its rate in south India was six *paṇams* per annum under the Pāṇḍyas[6] and two *vimśo-pakas* per month under the Gurjara Pratīhāras. It appears that it was a small impost levied upon shops in small villages and towns. The 10% tax on sale proceeds referred to by Megasthenes is unknown to the *Arthaśāstra* or the Smṛitis ; very probably the Greek ambassador confounded the customs dues with the sales tax.

Let us now consider the taxes payable by industry. As far as petty artisans like smiths and carpenters were concerned, it appears that they were usually required to work one or two

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1. VII, 131-2.
2. *Arthaśāstra*, II. 22.
3. *E. I.,* I. p. 6; XV. p. 41.
4. *Arthaśāstra*, Bk. II. Chap. 19.
5. *I. A.,* XII. p. 127.
6. *E. I.,* III. No. 36.

days a month for the state.[1] The Central Government usually transferred the right to receive this labour tax to the local bodies which could utilise it in carrying out their schemes of works of public utility. Inscriptions refer to this tax as *Kārukara* 'the tax on artisans'. It may have also included small imposts realised from barbers, washermen, goldsmiths and potters.

Weavers used to pay a tax of $1\frac{1}{2}$ *paṇam* per loom under the Vijayanagar administration;[2] it is not unlikely that a similar cess might have been levied upon them in earlier centuries as well.

Trade in wine was under strict state control. It was manufactured partly in state distilleries and partly by private agency ; the wine prepared by the latter had to pay an excise duty of 5%.[3]

All mines were regarded as state property. Some of them were worked by the government, but others were often leased out as well. When such was the case, the lessee had to pay a fairly heavy excise duty. According to Śukra it was to be 50% in the case of gold and diamonds, $33\frac{1}{3}$% in the case of silver and copper and 16 to 25 per cent in the case of other metals.[5] A two per cent tax on gold, mentioned in the Smṛitis,[4] is probably the customs duty and not the excise duty.

Excise duty was levied on salt. Salt deposits could be worked only by the state or its licensees. Copper plate grants donating villages usually invest the donee with the right to dig for salt and metals without the payment of any fee.[6]

Cattle breeding was an important trade, especially in earlier times, and it had to bear its own share of taxation. When Manu requires a cattle breeder to pay 2% of the herd as the tax,[7] he obviously thinks of the corpus of the herd. When Śukra imposes a duty of 6 to 12% he probably refers to the increase in the herd effected during the year. Inscriptions on

1. Earlier authorities like Manu (VII. 138) and Vishṇu (III. 32) prescribe the monthly liability of one day only; later ones like Śukra double the number of days.
2. *I. M. P.*, I. p. 50.
3. *Arthaśāstra*, Bk. II. Chap. 25.
4. IV. 2. 118-19.
5. *Eg.*, Vishṇu, III. 24.
6. *Eg.*, *I. A.*, XVIII. pp. 34-5.
7. VII. 130.

the other hand refer to a third method of taxation at a certain cash rate per head per cow, sheep or she-buffalo.[1]

Customs and excise duties, so far dealt with, are often referred to in inscriptions by a comprehensive, term '*bhūtopātta-pratyāya*,' a tax on what has come into existence (*bhūta*) i.e., has been manufactured, and on what has been imported (*upātta*).[2] Some times the simple word *śuika* is also used for the customs duties.[3]

Vishṭi or forced unpaid labour was fairly common in ancient times. Poor people could afford to pay a tax neither in cash nor in kind, and it was felt that they also should pay something to the state in return for the protection they got from it. This they could do most conveniently by offering free labour to the state. They were not usually employed all through the month and it was therefore felt that it would be but equitable to require them to work for the state free for one or two days in the month.[4] The state was of course to feed them during this period.[5]

The state could usually utilise its right to this free labour only during the visit of its officers on tour in the moffusil.[6] Otherwise it would authorise the local bodies to exact this labour on its behalf in order to carry out their public works programme.

Forced labour is always an unpopular liability. Yuan Chwang found it non-existent in some places and sparingly exacted in others.[7] The visits of inspecting officers were not every-day events; the right to free labour therefore eventually benefitted the village communities themselves, as it enabled

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1. Under Vīrapāṇḍya (c. 1250 A. D.) a tax of one *paṇam* per annum was levied on 50 sheep or 10 cows or 5 buffalloes. *Paṇam* was probably a silver coin, equal to a six-anna piece.

2. *E. I.*, VI. p. 29; *I. A.*, XII. p. 161; V. p. 150. Altekar, *Rāshṭrakūṭas*, pp. 228-9.

3. *I. A.*, XII. p. 264; XVI. p. 24.

4. *Gautama*, II. 1. 31; *Manu*, VII. 138 and *Vishṇu*, III. 32 prescribe only one day's free labour, while Śukra lays down two days' liability.

5. भक्तं च तेभ्यो दद्यात् । *G. D. S.*, II. 1. 35.

6. *Skandhaka* tax mentioned in some northern Indian inscriptions probably refers to the liability of labourers to carry the luggage of the touring officers upon their shoulders. See *E. I.*, III, p. 266.

7. Watters, I. p. 176.

them to get the help and cooperation of a number of labourers, carpenters and smiths in building and repairing roads, rest-houses and tanks.

It would be convenient here to refer to certain contributions which villagers had to make when inspecting officers or members of the police force visited the village on duty. They had to be provided with free boarding and lodging out of the subscriptions raised for the purpose.[1] Fodder had to be supplied to their horses. Relays of draught animals had also to be provided to enable them to reach the next destination.[2]

Apart from the usual taxation, the state was naturally empowered to levy extra cesses to meet unforeseen calamities, or to finance costly works of public utility, or to carry out its plans of ambitious expansion. The *Mahābhārata* is reluctant to sanction extra taxation even on such occasions, but it admits that there is often no alternative to it. It, however, urges the state to send out special messengers to the people to explain the gravity of the situation and to win their willing assent to the new taxation proposals.[3] The *Arthaśāstra* describes these extra contributions as *praṇayas* or benevolences and lays down that the farmers may be called upon to pay about 25% and merchants from 5 to 50% according to their circumstances.[4]

Epigraphs often refer to these benevolences and extra taxes. Rudradāman proudly states that he carried out the huge project of the Sudarśana lake without troubling the people either with forced labour or benevolences. It is clear from this that extra levies were normal when such huge works were undertaken. Vīrarājendra is known to have levied a special tax of one *kalañju* of gold per *veli* to finance his war against the Chālukyas of Veṅgi.[5] The *turushka-daṇḍa*, which was levied by the Gahadwāls throughout their kingdom, was a special tax, the proceeds of which were most probably intended to meet the cost of extra military forces and preparations to meet the danger of the Muslim invasions.[6]

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1. राजसेवकानां वसतिदंडप्रयाणदंडौ न स्तः । *I. A.*, XIV. p. 319.
2. Cf. अपारंपरगोबलिवर्दः । In Vākāṭaka plates.
3. XII. 87. 26-39.
4. Bk. V. Chap. 2.
5. *S. I. E. R.*, No. 520. of 1920.
6. Eg., *E. I.*, XIV. p. 193.

It would be convenient here to consider how far the taxation in ancient India was fair, equitable and reasonable in actual practice. The general principles, which most of the Smṛitis prescribe in this connection, are all very admirable, as we have shown already. But the question we have to answer is how far they were actually followed in practice. We have to point out that the data in this connection are very poor and meagre. Royal panegyrics naturally represent the subjects as happy, contented and prosperous; on the other hand we often get clear evidence in literature and inscriptions to show that taxation very often pressed oppressively on the people. One Jātaka describes the pitiable condition of the people of a village, who had deserted their homesteads *en masse* to live in forests in order to escape the tyranny of the tax-gatherers.[1] King, Lalitāditya of Kashmir is said to have recommended to his successors that they should tax the agriculturists so heavily that they should have with them corn just sufficient for the current year.[2] Under king Śaṅkaravarman of that province we are told that the taxation was so heavy that people were left only with air to live upon.[3] Instances are on record of the agriculturists of some villages in Tanjore district giving up all cultivation as a protest against heavy taxation.[4] Under Kulottuṅga III, a feudatory of his imposed an unjust tax even on waste lands; the protests of the Assembly were of no avail. Members of the village council were imprisoned for failure to pay the dues and were released only when the amount was paid by selling away some land of the Assembly.[5] Even the grantees of Brahmadeya villages often suffered from high-handedness and were made to stand in the sun or in water, and could get no relief against such ill-treatment.[6]

We should not, however, attach any undue importance to these cases. Kashmir kings referred to above were exceptional tyrants; Śaṅkarvarman, Diddā and Harsha were a class by themselves. The last mentioned king not only spoliated temple property, but also defiled and confiscated divine images. We cannot, therefore, regard these rulers as normal representatives of their order. As regards south India, we have hundreds

1. Vol. V. p. 98.
2. *Rājataraṅgiṇi*, IV. 344 ff.
3. कायस्थप्रेरणादेतेर्देवेनाच प्रवर्तितैः ।
   आयासैः श्वासशेषैव प्राणवृत्तिः शरीरिणाम् ॥ *Rājataraṅgiṇi*, V. 184.
4. Nos. 96, 98 and 104 of 1897.
5. No. 202 of 1912.
6. No. 159 of 1895.

of inscriptions detailing arrangements about the revenue collections. It is indeed surprising that we should have so few references to fiscal oppression. Most of the cases referred to above relate to the closing decades of the Chola dynasty, when there was a distinct deterioration in administration.

Evidence is available to show that people could successfully oppose the levy of unjust taxes and impostes imposed by the state. We get an instance of the Assemblies of some *nāḍus* in Tanjore district meeting and resolving that they will pay only legitimate dues and resist all other demands.[1] Another Assembly in Karnāṭak met and resolved that the taxation on cows and she-buffaloes was not sanctioned by the usage of the district since immemorial times and should not be, therefore, paid. The Assembly further specified the rates at which it was going to pay the land tax.[2] These records show how people often tried to declare and protect their rights against undue encroachments. They may not have been successful in their efforts, when kings were tyrannical and self-willed; but there can be no doubt that they had strength enough to press their claims successfully when kings and their officers were of the normal type. The absence of a popular body like the Vedic *samiti* at the centre during the first millennium of the Christian era no doubt tended to increase the number of oppressive demands from the centre; but the village assemblies and their executives were usually strong enough to resist encroachments on their legitimate rights and interests.

Let us now proceed to consider the items of state revenue other than taxation. The important ones among these were the income from state properties, the profits of the state industries and other similar undertakings, proceeds of fines and the tributes from feudatories. We shall now consider these one by one.

State property consisted of crown lands, waste lands, forests, mines, treasure-troves, natural tanks and reservoirs and it yielded considerable income. As shown already, the ownership in arable lands was vested in private owners in historic times, but their lands would often lapse to the state on account of absence of heirs, or non-payment of state taxes or commission of heinous crimes involving forfeiture of property. In most villages, the states in ancient times, as in modern days, possess-

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1. *S. I. E. R.*, Nos. 96, 98, 104 of 1897.
2. *E. C.*, X. Mb. 44(a).

ed their own détached pieces of arable land which they culti-
vated either through hired labourers or by leasing them out
to private tenants.   To supervise over the administrative ar-
rangements of the state lands was the work of a special officer
called *sitādhyaksha* in the *Arthaśāstra*. What his designation was
in later times we do not know.

Waste-lands, being under nobody's occupation, were
naturally regarded as state property. Steps were taken to
induce enterprising persons to bring them under cultivation
by guaranteeing a total or partial exemption from the land tax
for the first four or five years.[1] The administration of waste
lands was often left to the local bodies; in the Gupta administra-
tion their sale was usually effected with their consent and
approval.[2] It appears that in south India the village assembl-
ies not only administered these lands, but alsc claimed their
ownership. We often find them selling or mortgaging common
lands to tide over calamities like famines or floods.[3]

As in almost all times and climes, the ancient Indian
state claimed ownership in mines and their products. When
villages were granted, the donces were usually invested with
the right to work all the mines that may have been situated
within their boundaries. Mines always included salt deposits
and sometimes stone quarries as well.[4] They were an important
source of income, if they happened to be of precious metals.
How they were worked has been already explained in
Chapter IX, p. 150.

The state claimed ownership in treasure troves also, either
because it claimed to be the heir to heirless property or because
it regarded them as similar in nature to the mineral yields, both
being recovered from the bowels of the earth. If the treasure
trove was discovered by a Brāhmaṇa, he was however allowed
to take the whole of it; in the case of other persons, the finder
was usually permitted to have one half of the find and the state
would take the other half.

Forests were an important item of state property. A
portion of them was reserved for breeding elephants, so impor-

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1. *Arthaśāstra,* Bk. VI. Chap. 9.
2. *E. I.,* XV. pp. 129 ff.
3. *S, I, E. R,,* No. 679 of 1898.
4. Cf. सपाषाणखनि: in a grant of Manthavadeva (U. P., 11th
     century); *I. A.,* XVIII., 34-5.

tant for the army. Another portion was reserved for the king's game. The remaining area was utilised for fuel and timber.[1] Their administration has been already described at p. 150.

Grants of only the Gahaḍwāla dynasty invest the donee with the proprietary right in mango and *madhūka* trees.[2] It is, however, very doubtful whether the state ever claimed ownership in these trees growing on private lands. Probably mango and *madhūka* groves on waste lands are intended, as hinted by one record.[3]

We have shown already in Chap. IX how the state in ancient India used to organize several industrial concerns. It used to have a weaving department to produce cloth. It had its own distilleries for manufacturing wines. It had its own slaughter houses and used to rear herds of sheep, buffaloes, goats, cows and elephants. It would often mint money for private individuals after charging a small fee. It would sometimes engage or license goldsmiths to manufacture silver and golden wares and ornaments for the public. It would hire its boats for transporting the merchandise of private individuals and charge also a ferry tax for taking men, goods and cattle across the rivers. It would license and control gambling and prostitution. All these activities brought considerable income to the state treasury.

Tributes formed a considerable source of income in the budget of imperial states. Its amount, however, was uncertain; it could be regularly received only as long as the feudatory kings were too weak to refuse it and the imperial army strong enough to enforce its payment.

Fines were naturally one of the items of state's income. It appears that petty fines imposed for small offences tried by village courts were usually assigned to the headman or to the village community. In the case of crimes tried in the state courts, the fines must have gone to the central treasury. The officer in charge of their collection was called *daśāparādhika* in the province of Kumaun.[4]

Ownerless and heirless property was naturally claimed by the state. At a time when widows were not recognised

1. *Arthaśāstra*, Bk. Chaps. 1-2.
2. Eg., *I. A.*, XV. pp. 103-4.
3. Cf. समधूकाम्रवाटिका in Chandravati plates, *E. I.*, XVI. p. 193.
4. *I, A.*, XXV. p. 18.

as heirs to their husbands' property, the state would take the whole of it, of course sanctioning a reasonable maintenance to the widows.[1] The recognition of widow as an heir adversely affected the state's interests; we find many administrations refusing to countenance the reform down to the 12th century,[2] though it was advocated by jurists as early as the 3rd century A.D.   The tax on persons dying without a son[3] mentioned in some Chālukya and Yādava records was no doubt a kind of compensation claimed by the state for recognising the new right of the widow.

Let us now consider the expenditure items in the state budget. We possess very little reliable information on this topic. Neither the *Mahābhārata* nor the early Smṛitis throw any light upon the point. Inscriptions and copperplates are also usually silent.

The *Arthaśāstra* is a little more helpful. It gives us different items of the state expenditure. They, however, mostly refer to the royal establishment and throw very little light on the moneys spent on the different state departments. It does not also tell us what percentage of the state income was spent on each item of expenditure included in the royal household. Kauṭilya also gives us the salaries of ministers and some other officers of his ideal State; but we do not know its income, and so can form no idea about the reasonableness of the emoluments received by different officers. It is further almost certain that states in ancient India usually paid their officers either by the grants of land or by the assignment of land taxes. Cash pay was rather an exception.

Śukra is the only writer who gives us some definite idea of the percentage of the state income devoted to the different items. According to this authority the state income was to be spent as follows[4] :—

1. Fighting forces (*balam*)   50%
2. Charity and donations (*dānam*) $8\frac{1}{3}$%
3. People (*prakṛitayaḥ*) $8\frac{1}{3}$%

अदायिकं राजगामि
अन्यत्र ब्राह्मणात्किंतु राजा धर्मपरायणः ।
तत्स्त्रीणां जीवनं दद्यादेष धर्मः सनातनः ॥ *Nāradasmṛiti,* XIII. 52.

In Gujarat the right was not recognised till the 12th century. See *Kumārapālapratibodha,* Act III.

I. A., XIX. p. 145; *E. I.,* III. No. 36; Pool, *Kolhapur,* p. 333.

I., 316-7. At IV. 7. 24-28 Śukra gives a slightly varying scheme for the budget of a feudatory with an annual income of 1,00,000.

4. Civil administration (*adhikāriṇaḥ*) $8\frac{1}{3}$%
5. Privy purse (*ātmabhoga*) $8\frac{1}{3}$%
• 6. Reserve Fund (*kosha*) $16\frac{2}{3}$%

This above budget requires a little explanation in order to understand it properly. It appears as if it does not provide any expenditure for the social and nation-building side of the administration. The items *prakṛiti* (people) and *dāna* (charity) however were intended to provide for such expenditure. It is no doubt true that the commentator as well as Dr. Ghoshal[1] understands *prakṛiti* in the sense of high officers like ministers and heads of the departments, but their combined salaries can hardly amount to eight percent of the state budget. We should not further forget that state officers form a separate item of the budget (No. 4). The usual meaning of *prakṛiti* is people and so the item, people, in the budget must refer to state expenditure incurred for promoting the material and moral welfare of the people. Construction of roads, bridges, tanks, canals, rest-houses etc. would all fall under this item. The state used to either undertake such public works itself or give substantial grants to local bodies starting them in the different districts. The item charity (*dānam*) included grants for *sattras* (poor houses), hospitals, monasteries and temples. The last two mentioned institutions used to run schools and hospitals in many cases.[2] The Brāhmaṇa donees of *agrahāra* villages also used to promote the cause of education and culture by imparting free education to deserving students.

The budget thus provides an allotment of $16\frac{2}{3}$% for the social, cultural and nation-building activities of the state. But the actual amount spent was much larger; for the amounts spent by the local bodies out of the revenues assigned to them by the Central Government are not included in the above budget.

The privy purse at $8\frac{1}{3}$% would not be regarded as too high. 10% was the ideal that was placed before the rulers of the Indian states by the British Government, and the Union Government has generally accepted it in its recent policy of mergers and unions.

The military expenditure at 50% of the Central Revenues is undoubtedly very high. From about 500 A.D. mili-

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1. *Hindu Revenue System*, p. 161.
2. Altekar, *Education in Ancient India*, (2nd Ed.) pp. 119-138.

tarism was rampant and warfare common. If a state wanted to live and maintain its independence, it had to spend heavily on its fighting forces. It must be, however, noted that every pie of this huge expenditure was spent within the country and that the heavy military budget went a long way not only in fostering martial spirit but also in indirectly encouraging trade and industry.

Reserve fund or treasury claimed $16\frac{2}{3}\%$ of the revenues. It has been observed by a number of Muslim authors how it was customary for Hindu rulers to have large treasures handed down by their predecessors, which they would touch only on very grave occasions. Public or state loans were unknown, and the state could tide over a crisis only if it had a rich treasury and full and overflowing granaries. The huge booties which Alaud-din and Malik Kafur obtained in the Deccan show that, as mentioned by Muslim historians, Hindu states used to set apart a large percentage of their revenues as reserve fund to be kept in their treasuries for the purpose of emergencies.

CHAPTER XIII

INTERSTATE RELATIONS

In a work primarily intended to describe the state and government organisation, problems connected with the interstate relations can be described only in their broad outlines. The subject divides itself into two parts : interstate relations in war and the same in peace. While considering the latter, we shall have to consider separately the relations between sovereign states and their numerous feudatories.

We possess very little information about interstate relations of the Vedic period. States were still to a great extent tribal and for a long time they were engaged in subjugating the non-Aryans. Their mutual relations were, therefore, generally peaceful. Aryans, however, began to become envious of one another owing to the difference in success achieved by the different tribes to which they belonged. We therefore sometimes find them fighting among themselves, often taking the help of non-Aryan chiefs. Such occasions, however, were few.

In the later Vedic period small Aryan tribes became fused into bigger territorial states. Their normal size, however, was still not very large. Most of the states, for instance, included in the 16 Janapadas of the early Buddhist works were not bigger than a Commissioner's Division of the modern time.

The status and prestige of the different states differed according to their resources and the leadership of their rulers. Titles like *svarāṭ, ekarāṭ, samrāṭ* and *adhirāṭ*, that were taken by the different rulers, indicate clearly a difference in status, but what exactly its nature was it is difficult to determine at present. Some of these rulers, e. g. *samrāṭs*, were probably enjoying a much higher status than the rest, but whether they were in the position of the emperor to his feudatories, we do not know. It is likely that the weaker states may have paid a tribute to the stronger ones.

The religion and culture of the later Vedic period placed the ideal of the emperorship before the Aryan king. The *aśvamedha* sacrifice was to be performed by one who wished o be the king of kings and the *vājapeya* by one who wanted

to become an emperor.   This naturally introduced a principle
of instability in the interstate relations.   A *vijigīshu* ·-or
ambitious king could at any time launch a campaign of con-
quest.   We should further note that there were no natural
boundaries to separate a state, for instance, like Kauśāmbī
from another like Kāśī or Kośala ; when one of them became
strong, it was natural for it to seek expansion at the cost of its
neighbours.

    Smṛitis also declare that when a king feels that his army
is strong and kingdom prosperous, and notices that the case
is reverse with his opponents, he is at liberty to declare a war
against them.[1]   Surprise is often expressed that Smṛitis should
have thus countenanced a war of unprovoked aggression. If,
however, we look to the realities of the situation, we shall have
to admit that all over the world states which have grown strong
and powerful have been attacking their weaker neighbours in
all ages, primarily because the latter were weak, though often
they used to put forth specious and philanthrophic motives
for their action.   Why did Akbar, Shahjahan and Aurangzeb
attack the Sultans of the Deccan though they were their co-
religionists ?   Why did the British declare war against the
Marāthās in 1803 ?   Simply because they felt that they were
stronger than their opponents and could grab their territories.
Why did the last two world wars break out ?   Simply because
the different combatants felt that the time had come for the
realisation of their visions of the world domination or for the
defence of their empires.   It is, therefore, no use to blame the
Smṛiti writers for countenancing a course of conduct which
is the order of the day in the international world even to-day.

    Of course it is possible to argue that the Smṛiti and Nīti-
writers should have been ahead of their age and advocated
like Aśoka a total cessation of interstatal wars, at least for
aggressive purposes.   It is not, however, always easy to ascer-
tain which state is the aggressor ; each party to the strife can
put forth a plausible defence for its action.   The ideal of total
abandonment of war was too high to be realised, as we know
from the efforts unsuccessfully made by Aśoka. The prevail-
ing insecurity rendered it absolutely necessary that there should
be a class in society powerful enough to defend it against aggres-
sion.   The Kshatriya community supplied the band of fighters
necessary for this purpose, which regarded it a disgrace to die

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1. *E.g., Manu,* VII ·171,

on the bed.[1] War was its natural profession ; to taboo it would
have left it without a calling. It was, therefore, but natural
that Smṛitis should have felt themselves powerless to recommend
an ideal inconsistent with Kshatriya life and too difficult of
realisation, not only in ancient India but also in the modern
world.

It would be, however, wrong to suppose that ancient Indian
thinkers, while striving for harmony within the states were
indifferent for its realisation among the comity of nations. Almost
all of them point out to the ambitious king that the appeal to the
arms should be avoided as far as possible;[2] an unrighteous war
promotes infamy in this life and procures hell thereafter.[3]
The protracted negotiations between the Kauravas and the
Pāṇḍavas and the readiness of the latter to be content even with
five villages, will show that wars were not declared in hot haste
in ancient India.

The ancient Indian thinkers knew that war could not
be altogether tabooed ; they, therefore, tried to minimise its
chances by advocating a judicious balance of power among
the different states with which the country was studded. The
well-known *maṇḍala* theory of the Smṛiti and Nīti writers
is based upon this principle. It explains the normal types
of relations that are likely to prevail among neighbouring
states, warns a ruler to be watchful about the movements and
motives of its mighty neighbours and exhorts him to secure the
peace and safety of his dominion by a system of judicious alli-
ances, so that a prospective enemy may find it too hazardous
to launch an attack against him.

Aśvamedha and Vājapeya sacrifices being prescribed by
the Vedic religion, even the idealistic school of the political
thinkers could not disapprove of an expedition of conquest;
it, however, tried to humanise it as much as possible. The king,
who was out for a *dharmavijaya*, was to remain content with

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1. अधर्मः क्षत्रियस्यैष यच्छय्यामरणं भवेत् । *Śukra*, IV. 7. 305.
2. साम्ना दानेन भेदेन समस्तैरथवा पृथक् ।
   विजेतुं प्रयतेतारीश्च युध्येन कदाचन ॥ Manu, VII. 198.
   नाशो भवति युद्धेन कदाचिदुभयोरपि ॥ *Kāmandaka*, IX. 11.
3. नाधर्मेण महीं जेतुं लिप्सेत पृथिवीपतिः ।
   अधर्मविजयं लब्ध्वा को नु मन्येत भूमिपः ॥
   अधर्मयुक्तो विजयो ध्रुवोऽस्वर्ग्यं एव च ॥ *Mbh.*, XII. 96. 1, 3.

the formal recognition of his suzerainty and the payment of a tribute[1] by the conquered king; he was not to annex his kingdom or disturb its administration. If the defeated king died in war, if he was living but unwilling to continue on the throne, a suitable successor was to be installed in his place. If annexation became inevitable, the established laws and customs were to be respected and the new subjects were to be treated as kindly as the old ones.[2]

There is sufficient evidence to show that this policy was generally followed. In their expeditions of conquest, the Pāṇḍava heroes were content with submission and tribute; there was no annexation. The Jātakas know of no wars of annexations. When the king of Kosala invaded Kāsī, the minister of the latter kingdom said to his king, "Sir, you need not be afraid; there will be no molestation; your kingdom will continue to be yours; only you will have to submit to the suzerainty of the invader."[3] The Muslim travellers of the 8th and 9th centuries were also struck by this peculiarly humane method of conquest that they saw in the Deccan. "When a king subdues a neighbouring state", says Sulaiman, "he places over it a man belonging to the family of the fallen prince, who carries on the government in the name of the conqueror. The inhabitants will not suffer it to be otherwise."[4]

. The advice to refrain from annexation after conquest is easy to give but difficult to follow ; a survey of the ancient Indian history, however, shows that it was more frequently followed than disregarded. We have very little authentic information about the internal condition of the Mauryan empire, but it is not unlikely that it left untouched the autonomy of the powerful republics of the Punjab and Rajputana. In the Gupta empire, there flourished a number of feudatories even

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1. गृहीतप्रतिमुक्तस्य स धर्मविजयी नृपः ।
    श्रियं महेन्द्रनाथस्य जहार न तु मेदिनीम् ॥ *Raghu.*, IV. 43.
    Kauṭilya however disapproves even the exaction of tribute in धर्मविजय; cf. तेषांमभ्यवपत्या धर्मविजयी तुष्यति ।...भूमिद्रव्य-
    हरणेन लोभविजयीं ।...पुत्रदारप्राणहरणेन असुरविजयी । XII. 1.

2. स्थापयेत्तत्र तद्वंशं कुर्याच्च समक्रियाम् । Manu, VII. 202! 1.
    See also *Vishṇu*, III. 30; *Śukra*, IV. 7. 373; 397-18.

3. मा भायि महाराज नात्थि ते परिपंथो तव रज्जं तवेव भविस्सति
    केवलं मनोजरंओ वसवति होहि । *Jātakas* V. p. 316. Cf. also p. 391

4. Elliot and Dowson, *History of India*, Vol, I. p. 7; see also *Account of China and India*, p. 33.

in Magadha itself. The Nāga rulers, who were overthrown by Samudragupta, continued to serve as imperial officers of the government in the Doab. Samudragupta no doubt annexed a number of kingdoms, but their number was smaller than the number of those which were restored and allowed to rule in the feudatory capacity. The empire of Harsha also contained a number of feudatory states. The same was the case with the Pratīhāra empire of northern India. The Deccan kingdoms of the Sātavāhanas, the Chalukyas, the Rāshtrakātas and the Yādavas had a large number of feudatories, who enjoyed considerable autonomy. *Digvijaya* being inevitable, it was possible only to strive for the preservation of the local autonomy and culture of the conquered states. It cannot be denied that ancient India did succeed in doing this to a great extent. The success was partly due to the uniformity of culture and religion that prevailed in the states, temporarily at war with each other. Normally in peace time, their relations were not embittered by religious or cultural divergences or animosities, and so the war did not spur the combatants to bring about the utter destruction of each other. Internal autonomy was easily conceded.

The usual causes for which states went to war with each other were:-(1) the desire to attain the imperial status, (2) the necessity of self-preservation, (3) the acquisition of more territories or tributes, (4) the restoration of the balance of power, (5) the retaliation for raids and (6) the rescue of oppressed populations. It will be seen that these are the normal causes of war in all times and climes. It is unnece.. .y to illustrate how these motives were at the bottom of the different wars in ancient India.

Interstate war being found inevitable in actual practice, ancient Indian thinkers tried further to mitigate its evils by recommending a high code of honour on the battlefield. It is doubtful whether this code governed the warfare of the Aryans with the *dasyus* in the Vedic period. Indra is represented as trampling them under his feet in the caves and the Vedic Aryans must have done the same. The Vedic literature also refers to the use of poisoned arrows in warfare.[2] The Smṛitis, however, are emphatic in condemning their use. They further lay down[2] that the enemy should not be struck unawares or when he is not properly armed and ready or when he is at a

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1. *R. V.*, I. 117. 16; VI. 75. 15; *A. V.*, VI. p. 6. 7.
2. *E.g., Manu*, VII. 90 ff.

disadvantage. Quarter must be given when asked; prisoners of war were to be treated well and given medical treatment if necessary.[1]

We may well assume that these rules were actually followed in practice as long as the opposing states were evenly matched and annexation did not follow the defeat. Megasthenes was surprised to notice that warfare in India did usually not interfere with the agricultural operations; combatants on either side waging the conflict made carnage of each other, but allowed those engaged on husbandry to remain quite unmolested. Yuan Chwang was also struck by the fact that petty rivalries and wars, though not infrequent, produced little harm to the country.

It seems that as long as annexations were rare, these humane rules of warfare followed as a general rule. When, however, empires became the order of the day, and the feudal yoke became more and more oppressive, the desire for self-preservation naturally got the upper hand; and all means began to be regarded as fair, which were likely to ensure self-preservation or victory. Kauṭilya gives the common sense advice; if a state has immense superiority over its opponent, it should follow the chivalrous code (dharmayudha); otherwise it should have recourse to all methods of warfare, whether fair or foul.[2] The view of Bhīshma (Mbh. XII. 140) is the same. Śukra concurs with his two predecessors.[3] In the epic we find both Kauravas and Pāṇḍavas violating the rules of righteous warfare, when hard-pressed.

The rules of kūṭayuddha permitted attack at any time and under all circumstances; the enemy country was to be devastated, trees were to be cut, and crops and stores were to be burnt down, civilians were to be taken into captivity. Many of these calamities occurred when Aśoka conquered and annexed Kalinga and we may well assume that they were to some extent inseparable from all warfare in the post-Christian period. There can, however, be no doubt that there was a constant effort made

1. भग्नशस्त्रो विपन्नश्च कृतज्ञो हतवाहनः ।
   चिकित्स्यः स्यात्स्वविषये प्राप्यो वा स्वगृहं भवेत् ।
   निर्व्रणश्च स भोक्तव्य एष धर्मः सनातनः । Mbh., XII. 95. 13-14.
2. बलविशिष्टः प्रकाशयुद्धमुपेयात् । विपर्यये शाकटयुद्धम् । Bk. X. Chap.३
3. धर्मयुद्धैः कूटयुद्धैर्हन्यादेव रिपुं सदा । I. 350.

to follow the higher ideal as far as possible; otherwise the high Rajput code of chivalry could not have survived till the medieval times.

It would not be out of place to point out that even the rules of *kūṭayuddha*, referred to above, will appear as humane, when compared to the atrocities that disfigured the warfare in the Ancient East. No ancient Indian king is known to have boasted of having built a wall with human skulls or having flayed the enemies and covered the city gates or fort-walls with their skins, as Thutmoses III and Asurnazerpal are known to have done.

There were definite rules about quarters to be given to the enemy. One who laid down arms and threw himself on the mercy of the conqueror was not to be slain, so also one who was wounded or fleeing away from the battlefield. Prisoners of war, if wounded, were to be treated by the army doctors. Among the Aryans they were usually not sold into slavery,[1] but allowed to return home at the end of the war.[2]

There were also regular rules about the booty. Treasures, valuables, weapons, provisions etc. belonging to the defeated king could be seized by the victor.[3] All immovable property belonging to private persons could be temporarily occupied and utilised.

We have very little information as to the intercourse between the two countries waging war with each other. Since we find passport necessary for foreigners entering the country in normal times, it is quite likely that all communications may have been stopped with the declaration of war. States must have naturally taken care to see that merchandise and provisions of their own country did not pass into the possession of the opponent to strengthen his fighting forces. When, however, frontiers were extensive and administration inefficient, some amount of trade may have continued stealthily. Whether there was blockade by sea and whether the enemy ships were liable to be seized, we do not know.

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1. म्लेच्छानामदोष: प्रजां विक्रेतुमाधातुं वा । *Arthaśāstra*, III. 13. The slave captured on the battlefield is, however, referred to by Nārada; he was, however, permitted to secure his release by offering a substitute.
2. *Agnipurāṇa*, Chap. 240.
3. *Manu*, VII. 96-7. *Suṣra*, IV. 7. 38ɔ.

Let us now pass on to consider the relations between sovereign states in time of peace. It is doubtful whether there were permanent resident embassies in vogue in ancient times. Megasthenes resided at the court of Chandragupta Maurya and Deimachos at that of Bindusāra. It is quite likely that the Mauryas may have sent their own ambassadors at the Seleukidan court, especially because the Buddhist missionaries had been dispatched there to preach *dharma*. We, however, do not know whether the Greek ambassadors lived for a few years or whether their embassies were permanent. Heliodorus was residing at Vidiśā, the capital of Mālwā, as the ambassador of Antialkidas, the Greek ruler of Taxila, but it is not likely that he may have stayed only for a few months and for a particular mission. The embassies were received at the court of Samudragupta from the king of Ceylon and at the court of Chālukya ruler Pulakeśin II (*c.* 630) from the king of Persia; but they were for specific purposes only. The Indian embassies that went to China or Rome were also something like the modern missions of good will, making some presents to the kings concerned and requesting some commercial concessions. In Europe too regular permanent embassies started only late in the medieval period. The Sanskrit word for ambassador, *dūta*, literally means a messenger and suggests that he visited the foreign court for a particular purpose or mission. The instructions given to the *dūta* in the *Arthaśāstra* (Bk. I, chap. 16) show that he was to reside in the foreign court only till he felt that there was still a possibility of his mission succeeding; otherwise he was to return.

Heads of the missions sent to foreign countries were classified into three categories. *Nisṛishtārtha* ambassador was one who had the full powers of negotiations and *parimitārtha* was one who could not deviate from his instructions. *Śāsanahara dūta* was merely to deliver the message and take back the reply; he could not negotiate at all.[1] In ancient as in modern times, the ambassador was a licensed and open spy; during his stay at the foreign court, he was to cultivate friendly relations with the officials with a view to get a clue to the real policy of the government. He was to guage the general situation, estimate the state's resources in men and money and get a first hand information from his own spies about the condition of the defences and forts of the country. He was to send his reports home in a cipher code (*gūḍhalekha*).[2]

1. *Arthaśāstra*, Bk. I. Chap. 16.
2. *Ibid.*

.The person of the ambassador was regarded as inviolable in ancient as in modern times. *Dūta* is a mere messenger, says the *Rāmayāṇa*, delivering his master's message, and so he should not be punished even if it is provoking.[1] The *Mahābhārata* declares that a king who kills an ambassador, will go to hell along with all his ministers.[2] Even when hostilities have started, the *dūta* and his entourage were not to be touched.[3] If, however, he misbehaved, he could be branded or disfigured, as was done by Rāvaṇa in the case of Māruti.

Even when occasional embassies were not on visit in a neighbouring state, spies were always at work to fish out the information above indicated. Some of them lived in the guise of students and others in that of ascetics or merchants. Prostitutes and dancing girls were also extensively employed; many of them used to manage to get service as betel-bearers or umbrella bearers in the court and so manage to be nearest to the king with a view to find out what was passing in the innermost circles of government.

There was free intercourse between neighbouring states in time of peace. Passports were of course necessary for entry, but when they were procured, further movements were unrestricted. Foreign merchants visiting the country regularly were not required to procure a passport for every visit. Suspicious looking persons were arrested at ports and were not allowed to proceed.[4] The state kept a watchful eye over the foreigners and noted their movements and actions carefully with a view to find out whether they were functioning as spies. There was no restriction on the imports and exports of goods; of course the necessary customs duties had to be paid.

Ships that touched the harbours on their way elsewhere had to pay port dues. If they were weather-beaten or damaged, all facilities were offered to them for repairs and re-equipment.[5] Sometimes some states used to confiscate all articles on such ships if they touched at places other than regular ports; but this practice was not usually approved. Kākatīya king Rudradeva claims the credit of having stamped out this practice.[6]

1. बुवन्परार्थं परावान्न दूतो वधमर्हति ।
2. दूतस्य हंता निरयमाविशेत्सचिवैः सह ॥ X. 85. 26.
3. *Nītiprakāśa*, VII. 64.
4. *Arthaśāstra*, Bk. II. Chap. 28.
5. *Ibid.*
6. *E. I.*, XII. p. 165.

Relations with Feudatories

Feudatory or semi-independent states existed in large numbers in ancient India. We have seen already how the conqueror was expected not to annex the territories of a king defeated by him, but to allow his state an autonomous existence under his overlordship. This gave rise to a large number of feudatory states. Their number was further increased when the senior posts of Divisional or Provincial governors began to become hereditary and their incumbents began to be invested with the feudatory titles like *mahārāja, sāmanta, mahāsāmanta* or *maṇḍaleśvara*. Under the Deccan administrations like those of the Yādavas or the Chālukyas, it becomes too difficult to state whether a particular *mahāmaṇḍaleśvara* was a real feudatory or a provincial viceroy with the feudatory's titles. The confusion becomes more confounded by the practice prevailing in several localities of appointing defeated feudatories as provincial officers in the empire of the conqueror.

Till recently some of the larger Indian feudatory states like those of Hyderabad, Baroda and Kolhapur had their own feudatories; the same was the case in the past also. Thus king Mātṛivishṇu of Eran (*c.* 480 A. D.) was a subordinate of king Suraśmichandra who in his turn was feudatory of the emperor Budhagupta.[1] In 813 A. D. Govinda III was the Rāshṭrakūṭa emperor, his nephew Karkka was his feudatory, ruling over southern Gujarat and Sri-Budhavarsha of Salukika family was governing Siharikā 12 as a sub-feudatory, to which position he was raised by the younger brother of Karkka.[2] It will be thus seen that the feudatories could create their own sub-feudatories, probably with the previous permission of the emperor.

Naturally, therefore, the status and powers of all the feudatories were not the same, a circumstance which reminds us of the Indian polity under the British rule in which the different Indian princes enjoyed different privileges. The important feudatories were entitled to the use of a feudal throne, fly whisk, palanquin and elephants. They were also authorised to the use of five musical instruments, *śriṅga* (horn), *śaṅkha* (conch), *bherī* (drum), *ayaghāṇṭa* (bell of victory) and *tamaṭa*, a privilege that was guardedly conferred by the imperial power. They were usually styled as *mahārājas, sāmantas, mahāsāmantas,* or *maṇḍaleśvaras.*

1, C. I. I., III, p. 89.
2, E, I., III, p. 53.

Representatives of the Imperial power stayed at the court of feudatory rulers to watch its interests. They exercised power of general control and supervision, similar to those of the Residents or Political Agents of the present day. They were received, as merchant Sulaiman informs us, with profound respect due to the representatives of the imperial power. They had a large number of spies under them to detect whether the feudatory kings were contemplating sedition or revolt against the imperial power. The feudatories, on the other hand, used to appoint a representative of their own at the imperial court to keep themselves in touch witn its latest trends and developments. Thus Baṅkeya, the feudatory governor of Banāvāsi, had a representative of his, named Gaṇapati, at the court of the Rāshṭrakūṭa emperor Amoghavarsha I (c. 850 A. D.).[1]

The control, which the paramount power exercised, naturally varied with the status of the feudatory and its own capacity to check him. General obedience to imperial orders was expected and exacted. The feudatories were usually required to acknowledge their subordinate position in the official charters they issued by mentioning the name of the emperor first. They could not issue their coinage. Attendance at the imperial court was required not only on ceremonial occasions, but also at periodical intervals; epigraphs and literary works usually describe the imperial courts as teeming with feudatories come to pay personal homage to the emperor. A regular tribute had to be paid; sometimes it was sent to the imperial capital; sometimes emperors used to collect it during their tours.[2] Special presents were also expected on the occasions of festivity in the imperial household like the marriage or the birth of a son. The feudatories were also expected to offer their daughters in marriage, in case the emperor was inclined to wed them. Under the Gupta administration kings, who had been reduced to the feudatory status after a conquest, used to be granted imperial charters regranting them their territories under such conditions as were agreed upon.[3] Whether such a procedure was followed under other administrations, we do not know.

As in medieval Europe, the feudatories had to supply a certain number of troops to their feudal lord to participate in his imperial campaigns. Kalachuri prince Soḍhadeva

1. *E. I.,* VI, p. 33.
2. *I. A.,* XI, p. 126.
3. Allahabad Pillar Inscription of Samudragupta.

(*c.* 850 A.D.) is known to have participated in the Bengal campaign of Mihira Bhoja;[1] Narasimha Chālukya (*c.* 910 A.D.) of southern Kārnaṭak is seen fighting in U. P. against the Pratīhāra emperor Mahīpāla on behalf of his overlord, the Rāshṭrakūṭa emperor Kṛishṇa III.[2] The Chālukyas of Veṅgi had to supply forces to the Rāshṭrakūṭas in their wars against the Gaṅgas of Mysore during the 9th century. Nāgarasa, a feudatory of the Gaṅgas, had to participate with his own forces, at the bidding of his sovereign in a feud between Ayyapadeva and Vīramahendra, wherein he lost his life.[3] Many such instances are known; the above are mere typical ones.

The measure of internal autonomy varied according to circumstances. Bigger feudatories like the Uchchakalpas, the Parivrājakas and the Varmans under the Guptas, the Gujarat rulers under the Rāshṭrakūṭas and the Śilāhāra kings under the Chālukyas and the Yādavas enjoyed large amount of internal autonomy. Some of them like the Uchchakalpas do not even refer to the Imperial power in their land-grants; but this procedure was rather exceptional. Subject to the payment of a certain amount of tribute, they enjoyed full internal autonomy. They could create their own sub-feudatories and appoint their own officers. They could assign taxes, alienate villages and even sell them without any reference to the imperial power.[4]

How slender was the control which the proud feudatories were disposed to tolerate in our period can be judged from the following extract from a letter of Akkham, the Lohana chief of Brahmanabad, to Chacha, who called upon him to recognise his sovereignty—'I have never shown you opposition or quarrelled with you. Your letter of friendship was received and I was much exalted by it. Our friendship shall remain and no animosity shall arise. I will comply with your orders. You are at liberty to reside at any place within the territory of Brahmanabad. If you have resolved to go in any other direction, there is nobody to prevent you or molest you. I possess such power and influence that can render you aid.[5]

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1. *E, I.,* XII. p. 101.
2. *Rāshṭrakūṭas,* p. 265.
3. *Ibid.,* pp. 91-4.
4. *I. A.,* XIII. p. 136; *E. I.,* III. p. 310.
   The Uchchakalpa, Parivrājaka and Gujarat *Rāshṭrakūṭa* charters were ussually issued without the sanction of the imperial power.
5. *Elliot.* I. p. 146.

Smaller feudatories naturally enjoyed far less freedom. Nārāyaṇa Mahārāja and Śatrughna Mahārāja, who were Vākāṭaka feudatories, Rudraṭa, who was a feudatory of Vainyagupta, Paramagula, a subordinate ruler of Gaṅga king Sivamāra and Bhānuśakti, who owed allegiance to the Kadambas, all felt the necessity of securing imperial sanction for alienating the revenues of some villages in their own states.[1] When Budhavarsha, a feudatory of the Rāshṭrakūṭa emperor Govinda III, desired to grant a village to counteract the evil influence of Saturn, he had to supplicate the permission of his feudal lord.[2] Śaṅkaragaṇa, a feudatory of the Rāshṭrakūṭa emperor Dhruva, is seen to take the imperial permission when making a village grant.[3] The Kadambas also exercised a similar control over their feudatories. In the Gurjara Pratīhāra empire even feudatories in the distant provinces like Kathiawar had to take imperial permission for the alienation of land or land revenues, which was usually given through the resident Political Agents, who are often seen signing the copperplate charters on behalf of the imperial power.[4] The same practice prevailed also under the Paramāras[5] and was followed in the 7th century in Kashmir.[6]

Third rate feudatories were subjected to still greater control and interference. Their feudal overlords and even the latter's premiers are often seen granting away villages in their kingdoms. Thus the Rāshṭrakūṭa emperor Krishṇa II gave a village in the jurisdiction of a Gujarat feudatory of his, king Chandragupta.[7] The Paramāra king Naravarmā gave twenty 'ploughs' of land in a village of his feudatory Rājyadeva.[8] A feudatory of the Chālukya emperor Someśvara is seen agreeing to pay five gold coins for a certain charity, because he was commanded to do so by the prime-minister of the Emperor.[9] Gaṅgadeva, a feudatory of the Paramāra king Jayavarmā, is seen making a land grant at the dictate of his sovereign.[10]

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1. *C, I, I,*, III, p. 236; *I, II, Q,,* VI, p, 53; *E, C,,* X, Gd. 17; *I, A,,* VI, pp, 31-2,
2. *I, A,,* XII, p. 15,
3. *E, I,,* IX, p. 195,
4. *E, I,,* IX, 9,
5. *J, A, S, B,,* VII, pp, 736-9,
6. *I, A,,* XIII, p, 98,
7. *E, I,,* I, p. 89,
8. *P, R, A, W, C,,* 1920-1, p. 54; *Bhandarkars List,* No, 180,
9. *I, A,,* I, p, 141,
10. *E, I,,* IX, pp, 120-3,

Feudatories, who had rebelled and were defeated in war, were subjected to a number of indignities. Kumārapāla (c. 1150 A.D.) defeated and dethroned Vikramasimha, a feudatory of his nephew upon the throne.[1] Sometimes greater humiliations were in store for them; they were often compelled to sweep the stables of the conqueror.[2] They had to surrender their treasures, horses and elephants as a punishment for their disloyalty. Often their states were taken over or annexed for a short period.

If the Central Government became weak, the feudatories used to become practically independent. During the decline of the Gurjara Pratīhāra empire, a number of its feudatories quietly assumed the imperial title *mahārājādhirāja parameśvara*.[3] They would discontinue mentioning the emperor's name in their charter or refer to it only in a casual manner. Their tributes would become more and more irregular. The imperial power, having become weak, would require their military support, and they could dictate their own terms when giving it. Thus Rāmapāla of Bengal had to pay a heavy price for getting the support of his feudatories to win the throne. If there was war of succession, their position would be still stronger ; they could then take sides and try to put their own nominee on the throne, thus playing the role of the king-makers. On such occasions they could pay off their old scores by imposing their own terms on the new successor; the latter could hardly get or expect the same obedience to his orders from the feudatories who were his erst-while benefactors. If the emperor was very weak, a war would start among the feudatories for succeeding to the imperial position. At the decline of the Chālukya power, the Yādavas, the Kaḷachuris and the Hoysalas started a race for the hegemony of the Deccan, in which the first mentioned power eventually succeeded. Such a phenomenon occurred towards the end of almost all the empires.

The policy to permit defeated kings to rule as feudatories no doubt protected vested interest and favoured local autonomy. But it also introduced a permanent element of instability in the body politic. Naturally the feudatories were always cherishing the hope of throwing the imperial yoke one day, and the

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1. *Kumārapālaprabandha*, p. 42.
2. *E. I.*, XVIII, p. 248.
3. *E*, II, p. 193; III, pp. 261-7.

imperial power had to keep a vigilant watch over their actions and intentions. It could not disarm them because it needed their forces for its own purposes also. Very often the feudatory and the imperial power were in a state of armed neutrality; the imperial power could maintain its position as long as it managed to keep a balance of power among its feudatories and its own effective hold over all of them. The consequences of this permanent condition of instability will be discussed in the course of the next chapter.

CHAPTER XIV

GENERAL SURVEY AND ESTIMATE

During the course of the last thirteen chapters, we have described the conceptions and ideals of the ancient Indians about the state and its nature and functions and described the different branches of its administration. While dealing with the latter, we isolated the different links of the administrative machinery like the king, the ministry, the secretariat, etc. and discussed their characteristic features and history in the different periods. This treatment must no doubt have enabled the reader to trace the origin and development of the different institutions and offices very clearly. It is, however, equally desirable that he should have the picture of the government machinery as a whole from age to age, so that he may understand the main administrative characteristics of the succeeding ages. In this concluding chapter, therefore, we first propose to survey the administration as a whole from age to age.

The study of the past is no doubt intersting and important for its own sake. It, however, becomes also useful, if it can be brought to bear on the present. In the second section of this chapter we therefore propose to form a general estimate of the ancient Indian political thought and administration and impartially point out their strong as well as weak points. If we are enabled to get a clear idea of the good points of ancient Indian polity, it may be possible for us to strive to reproduce them in modern times; if we can spot out its weak features, we may be enabled to eliminate them in the new constitution.

Section I

The student of ancient Indian institutions like the caste, the marriage, the Aśramas etc. has sufficiently ample material to trace their development from age to age. The same is not the case with the student of ancient Indian polity and administration. We can give a picture in broad outlines of the government in the Vedic age. The developments that took place during the next one thousand years or so are more or less concealed from our view owing to the lack of original sources. When the curtain rises with the Mauryan period, we find a fully developed administration, undertaking a vast number of ministrant

functions of the state. The different stages of development by which the state, which in Vedic age was performing only a few essential functions, began to undertake a number of ministrant activities, are more or less concealed from our view. The state machinery and administration, of which we get so full a picture in the Mauryan period, becomes stereotyped later and we can hardly notice much development and variation in later centuries.

The State and Administration in the Vedic Period

The State of the Vedic period was a small one like the city states of ancient Greece, being hardly more extensive than a modern district. In most cases it was also tribal in origin; its residents were or believed themselves to be the descendants of some famous traditional ancestor like Yadu, Puru or Turvaśu. The governing class consisted of the patriarchs of the different families. A number of these families formed a *viś* or canton, presided over by a *viśpati*; and a number of *viśas* formed a *jana*, presided over by a *janapati* or king. The king was merely the president of a council of peers as in ancient Greece. His powers, therefore, were limited; nor was he regarded as divine. There are traces of kingship having been once elective, but very soon the royal office became hereditary. At the end of the Vedic period the functions and powers of the king began to be compared with those of Indra and other gods; the way was thus being paved to the theory of the Divinity of King.

As centuries rolled on, the state began to become more extensive and so also the king's powers. For many centuries, however, the king was effectively controlled by a Popular Assembly called *samiti*; the greatest calamity that could fall upon a king was a disagreement between him and his Assembly. The Assembly probably consisted of patriarchs and the heads of cantons (*viśpatis*). In the day to day administration the king was assisted by council of advisers known as *ratnins*, partly consisting of his relations, partly of courtiers and partly of the heads of the main departments of administration. The commander-in-chief, the tax-gatherer, the treasurer and the village headman are the principal administrative officers that are usually mentioned in the period. It is clear that the state was mainly concerned in maintaining law and order against internal and external enemies; it also collected the taxes necessary for the purpose. The latter were in the beginning

voluntary and occasional contributions, but they gradually became obligatory, as the centuries rolled on. Adjudication was undertaken by the state only in the late Vedic period; usually most of the disputes were settled outside the court, probably by the popular village bodies.

The Vedic States being small, one can hardly trace the beginning of provincial or district administration in the age. The heads of the villages (*grāmaṇīs*) were in direct touch with the king and his council. In the course of time, states began to be more extensive. There was a tendency to confederate; we find the Kurus and the Panchālas forming a confederate state. The Brāhmaṇa literature also refers to emperors and empires. These empires, however, were probably not usually bigger than a modrern Commissioner's division. Their development, however, put an end to the tribal state; territorial states became the order of the day from *c.* 1000 B.C.

The bigger states of the Brāhmaṇa period (*c.* 1000 B.C.) must have developed some kind of district administration, but we do not find any reference to it. Nor do we find any mention of the central secretariat. The art of writing had not yet come into extensive use; the kings used to establish contact with the villages in their small kingdoms either by personal tours or through special messengers.

We hardly come across any systematic discussion of the aims and ideals of the state. Incidental observations, however, enable us to know that like god Varuṇa, the king was expected to be *dhṛitavrata*, the upholder of law. He was also to promote the material and moral well-being of his subjects.

Side by side with monarchy, which was the prevailing type of the state, there also existed republics in the Vedic age. They were known as *Vairājyas* or kingless states. The republican assemblies probably consisted of the patriarchs and heads of *viśas*, who used to elect a president of their own. When this office became hereditary, kingship came into existence; when it remained elective, the state continued to be a republic.

During *c.* 600 to 350 B.C., Magadha and Kośala had developed into fairly big states, but we do not have much information about their administrative machinery. The king was at the head of the state; he had ministers to assist him. District

and .provincial government was yet not well developed, we find the headmen of 80,000 villages being directly summoned for a conference by king Bimbisāra. Under the Nandas, however, provincial government was being developed with the help of the Mahāmātras, who later played so important a role in the Mauryan administration.

The Mauryan State

The state and administration in the Mauryan period shows a remarkable advance over that in the Vedic age. We get before our view the full administration of a well-organised empire with Central, Provincial, District, Town and Village governments functioning in their own spheres. Kingship becomes hereditary; all earlier traces of election disappear. Powers of the king become more and more extensive; he becomes the head of the entire administration, military, executive and judicial. He also begins to wield legislative powers; his decrees and ordinances begin to have the force of law. The autocracy of the king was facilitated by the disappearance of the *samiti* or the Popular Assembly of the Vedic age. As kingdoms became more and more extensive, it was probably found difficult for a central popular assembly to meet regularly to transact admininstrative business, the means of communication being very slow. The *samiti*, therefore, tended to disappear in the later Vedic period and is not referred to in any Mauryan or post-Mauryan document. The view that the *Paura-Jānapadas* represented a Popular Assembly which stepped into the shoes of the Vedic *samiti* is untenable, as already shown in Chap. VII.

The Vedic council of king's advisers (*ratnins*) became a well established body in this age exercising greater powers. It now became a regular ministry, king's relations and courtiers being gradually eliminated from it. With the disappearance of *samiti* or the Popular Assembly, the ministry theoretically became responsible to the king only, though in actual practice, it was considerably under the influence of the public opinion.

The most remarkable change in the government first visible in the Mauryan age was the widening of its activities, necessitating an increase in the number of ministers and departments. Government ceases to be interested merely in

maintaining law and order and collecting taxes; it begins to take active steps to increase the material resources of the country by working mines, developing forests, encouraging colonization, organising state industries and affording protection to mechanics and artisans. It seeks to protect the interests of the consumers by appointing market inspectors to examine weights and measures and by taking effective steps to prevent cornering. It tries to control vice by regulating gambling, drinking and prostitution. It begins to take active interest in the spiritual, intellectual and cultural well-being of its subjects by appointing special officers to promote piety, morality and righteousness and by extending patronage to scholars and artists. It seeks to relieve the miseries of the poor by establishing rest houses, charity halls and free hospitals. The successful discharge of all these activities necessitated a great increase in the departments and officers of the government. There is no doubt that the Mauryan government discharged most of the above duties. Whether smaller states also that succeeded it in later times performed them all, we do not know.

The emergence of a big empire undertaking all the above activities naturally gave rise to a big secretariat at the Imperial and Provincial headquarters. The full fledged machinery of an empire with Imperial, Provincial, District and Local governments also became evolved by c. 250 B.C. It continued to function with some minor changes throughout the ancient Indian period.

Big empires presuppose large armies; we find them the order of the day from c. 500 B. C. The armies begin to consume the lion's share of the government revenues. The need of the army, as also of a government discharging multifarous duties, necessitated higher taxation. The number of taxes, as also their incidence, begins to increase gradually from century to century.

We have seen already how the republics existed in the Vedic age in a number of localities. They continued to prosper in parts of the Punjab and Sindh, Magadha and Videha down to the 6th century B.C. During the next century most of the north-eastern republics like the Śākyas and the Koliyas, the Mallas and the Videhas were destroyed by the rising imperialism of Magadha. The republics in the Punjab and Sindh, however, were flourishing down to c. 325 B.C. They had to bow

down before the Mauryan imperialism, which, however, seems to have left their internal government machinery untouched. These republics, reasserted their independence on the downfall of the Mauryans, but were again subjugated later by the Kushāṇas for a few decades.

Administration during 200 B. C. to 300 A. D.

Very few changes took place in the government machinery during the above period. A number of foreign governments rose to power at this time in northern and north-western India and in Gujarat, Kathiawar and Malwa, but their administrative machinery did not materially·differ from that in the earlier period. The king continued to be the head of the administration. His power was on the increase; we find him assuming more pompous titles. Chandragupta and Aśoka were content to call themselves as *rājās*; Kanishka styled himself *mahārāja rājātirāja* and *devaputra*. The latter title shows how the theory of the divinity of king was making further progress under the Scythian ascendancy; the Kushāṇa emperors had in fact a *devakula*, containing a royal gallery of portrait statues of deified dead emperors. An intreresting innovation introduced by the Scythian rulers was the system of *dvairājya*, under which the king and the heir-apparent both ruled with almost equal powers. As instances of this *dvairajya*, we may refer to the joint rule of Spalirises and Azes, Hagāna and Hagāmasha, Gondopharnes and Gad, Kanishka II and Huvishka. Under the Western Kshatrapas the father used to reign as Mahākshatrapa simultaneously with the son as Kshatrapa both issuing coins in their own names. In the *dvairājya* administration, the junior member seems to have exercised greater powers than those conceded to the *yuvarāja* (crown-prince) by the Hindu polity.

We have seen already how the Vedic *samiti* or Popular Assembly died down by *c.* 500 B.C., if not earlier. No Popular Assembly emerged during this period also. Power at the centre was vested in the hands of the king, the crown-prince and a council of ministers, the members of which were theoretically responsible to the king alone. The secretariat continued to function at the capital as in the earlier period and used to coordinate the activities of the Central Government and communicate its decisions to the provinces, towns and villages.

The provincial, district and town administration continued on the same lines as before. The foreign rulers only changed the designations or titles of some of the officers; thus the provincial governor was called a *Kshatrapa* or a *Mahākshatrapa* under the Śakas and Kushāṇas, the district officer, probably *meridarch* and the military commandant *strategos* under the Greeks. The foreign conquerors were usually Indianised in a generation or two and they used to accept Hindu political theories and practices along with Hindu culture and religion. Thus the great Scythian ruler Rudradāman I had his council of ministers like Aśoka or Agnimitra, the members of which were called *matisachivas* and *Karmasachivas*; we find him proudly mentioning how he had studied the science of polity (*arthavidyā*) and was governing according to its principles.

We have very little data to enlighten us about the administrative activities of the Śuṅgas and Kaṇvas, the Parthians and the Kushāṇas, the Śakas and the Sātavāhanas. We are not, therefore, in a position to state whether the government of these states used to undertake the multifarious activities recommended by the *Arthaśāstra* and undertaken by the Mauryan administration.

Gupta and post-Gupta Period.

The Hindu administrative theories and practices did not undergo any material changes in the Gupta and post-Gupta period (*c.* 300 to 1200 A.D.). The hereditary king continued to be the head of the government, being the centre of all executive, military and judicial powers. He was regarded divine but not infallible; he was particularly warned to behave properly and according to Dharma, because his subjects would follow his example. He continued to govern with the help of a ministry, which under normal circumstances, could influence the king and administration considerably. The secretariat continued to be what it was in the former age. The system of inspection seems to have been carried to greater perfection as centuries rolled on. The empires continued to have provincial, district and town administration more or less on the old lines; only the names of the divisions and their heads often changed from province to province and century to century. The military department continued to be the most important and the most expensive department; most of the

district and provincial governors and members of the ministry were military officers. States continued to devote their attention to the development of national resources by taking steps to develop mines and forests; they also supervised trade and industry by appointing special officers for the purpose. They continued to show interest in the moral and spiritual progress of their subjects by appointing a special minister in their cabinet whose duty it was to supervise the morals of the people, to give grants to the different religious establishments and temples and to advice the king as to the changes necessary in socio-religious customs and institutions. We possess much ampler evidence during this period than in any other before of the laudable desire of the state to help education and scholarship by direct grants to educational institutions and by donations to distinguished scholars and authors. The extensive patronage extended by the state to the temple cult gave a very great impetus to fine arts like sculpture, painting, dancing and architecture.

Attention may be drawn to administrative developments in this period. Republics ceased to flourish in ancient India from *c.* 400 A.D. Growing veneration for hereditary kingship tended to make the presidentship of the republics also hereditary; the republican presidents began to be invested with royal titles, and when their posts became hereditary also, they could not be distinguished from hereditary monarchs.

The second important feature of this period is the remarkable development it recorded in the powers and functions of the village and town councils. These institutions existed in the earlier period also, but the available evidence does not show that they were then so much non-official in character, and were wielding such extensive powers as they did from the 4th century onwards both in northern and southern India. They discharged almost all functions of the government except that of declaring peace and war; they were such strong bulwarks of popular power that they nearly counterbalanced the disappearance of the *samitis* at the Central Government. The growing tendency of the king to grab more power was considerably counteracted by the strong championship of the popular rights and privileges by the village councils. Most of the taxes due from the villagers were collected by the village

councils; the latter would simply refuse to collect them if they were new or unjust. The village councils continued to settle all village disputes with the exception of serious crimes.

A General Estimate

Let us now proceed to form a general estimate of the ancient Hindu polity and its achievements. While doing so, we shall take an absolutely impartial standpoint. We must not, however, forget that ancient kings and institutions cannot be judged by standards then not known anywhere. We must make due allowance for the circumstances and surroundings in which the Hindu polity and administration were working and then form our estimate about them. We shall also state briefly the lessons taught by our general survey and estimate, which may be of use for the present and the future.

Several types of states like republics, oligarchies, diarchies and monarchies were prevailing in India in ancient times, but eventually monarchy became the order of the day. This phenomenon was not peculiar to ancient India; it repeated itself in ancient Europe also where we find the republics in Greece and Italy being gradually supplanted by monarchies and empires. Representative government was not known both to the ancient East and West, and so republics could function only when the state was small and a meeting of its Assembly consisting practically of all the senior members of its privileged order was possible. As in the ancient republics of Greece and Rome, political power was vested not in the whole population, but in the members of a small privileged order, mostly consisting of Kashatriyas and perhaps of the Brāhmaṇas, also in a few cases. The Hindu polity worked in a society that had accepted the principles of the caste system, which laid down that government was primarily the function and duty of the Kshatriyas, assisted to some extent by the Brāhmaṇas. Franchise in the ancient Indian republics could, therefore, not be extended to the whole population. In the modern age, which does not believe in the predetermination of one's functions by birth, it will naturally have to be extended to all.

Democracy is the order of the day at present and we all hope to have a full fledged republic in India in the near future. It will be, therefore, necessary to understand the causes that

led to the disappearance of the republics in ancient India. Generally speaking republics could function successfully in ancient India in smaller states. They also presupposed a kind of tribal unity in the governing class; republics failed to develop into a purely territorial state of large dimensions. Distances are annihilated now; the principle of representative government has been discovered and is in universal practice. Tribal stage has been passed away long ago and we have now developed a national consciousness. There is therefore no reason why India should not function and flourish as a large republic in the modern age.

Growing veneration for a hereditary ruler fostered by the principle of the divinity of king was also partly responsible for the disappearance of the ancient republics. When presidents, generals and members of the executive council became hereditary in republics, their polity could not be much differentiated from monarchy. Divinity of king is now a dead doctrine and we need not apprehend that it will prejudice the development of the republican spirit or institutions in the modern times, except perhaps in some Indian states, where the monarchical traditions are still nourished. Ancient Indian polity, however, conceded divinity only to virtuous, conscientious and able rulers, who acted as real trustees for their subjects, and who were prepared to sacrifice their own interests, comforts and funds to promote the well-being of subjects. Monarchy can continue in Indian states only if their subjects are convinced that their monarchs belong to the above category. Our political thinkers, it should not be forgotten, condemn incapable, vicious and tyrannical kings as demons incarnate and permit their subjects to dethrone them, and even to kill them.

A study of ancient Indian history and polity shows that our republics flourished as long as there was harmony and concord among the members of their Assemblies. There was, however, a tendency among them to quarrel. In some republics every member of the Assembly was given the title of *rājā*; often he was not inclined to accept the leadership of a fellow member because it presupposed his own inferiority. Neighbouring kings used to send spies to foment quarrels and dissentions among the members of the republican bodies. Groups and parties were often formed in the republican Assemblies

and they spent their time and energy in bringing each other's downfall and incidentally paving the way of an outside conqueror. Many of the ancient Indian republics were destroyed by the neighbouring kings and emperors by encouraging feuds and dissensions among the members of their Assemblies. The party defeated in the Assembly would often seek outside help and thus seal the ruin of the state. Modern India, which seeks to develop republican traditions and institutions, may well carve on the gate of its Parliamentary House the prophesy of the Buddha about the Lichchhavi republic. The republic of the Lichchhavis, said the Buddha, would prosper as long as the members of their Assembly met frequently, showed reverence to age, experience and ability, transacted the state business in concord and harmony and did not develop selfish parties engaged in eternal wrangling for their narrow and selfish ends.

In the course of time, monarchy became the order of the day owing to the causes already explained. It cannot be denied that our political writers have placed the highest possible ideals before the kingly order; they can be hardly improved in modern times. The king was to be *dhṛitavrata*, pledged to maintain and defend law, order, justice and morality; he was not above the law, but subject to its jurisdiction. He was to be something even more than a trustee for his subjects; a trustee has merely to abstain from taking any undue advantage of his position, while promoting the interest of the trust; the king, according to the ancient Indian ideals, has to sacrifice his own personal comforts and interests in order to secure the prosperity of the kingdom. Divinity was conceded not to the *person* but to the *office* of the king. The theory that a king can do no wrong and is accountable to none but God was almost unknown to ancient India. Attention of the king was pointedly drawn to the great necessity of a proper training, the absence of which was sure to land him into numerous pitfalls, that do not come across the path of an ordinary individual. The doctrine of the divinity of the king's office was intended merely to inspire respect for authority; and not to encourage autocracy or irresponsibility in the kingly order.

It must be however admitted that in actual practice many kings failed to live up to the ideal. The percentage of vicious or tyrranical kings in ancient India was however by no means higher than in medieval Europe. It would be however useful

to understand the causes that were responsible for the non-realisation of the ideal of kingship in a large number of cases.

Failure to develop proper secular and constitutional checks on the power of the king was the main reason for the kingly ideal not being frequently realised in practice. Like some medieval political thinkers of Europe, most of our ancient Indian thinkers did no doubt not say that a bad king was accountable to God alone. Nevertheless, in actual practice the fear of hell was the only effective deterrent in the case of a tyrant. Our writers no doubt permit subjects to migrate *en masse* from the country, if the king became oppressive; ancient inscriptions supply some instances of kings being brought to their senses by this method. This remedy, however, is a very impracticable one and could not be easily resorted to. They also sanction regicide in extreme cases. Regicide, however, presupposes an open and successful rebellion; as a remedy against day to day petty cases of tyranny it is altogether impracticable and inapplicable. Ancient Indian polity failed to develop secular and practicable remedies which could control the actions of a king who was inclined to disregard the ideal and become tyrannical.

This failure was largely due to the disappearance of the *samitis* or Popular Assemblies in the post-Vedic period. As long as these Assemblies functioned, they could effectively control the actions of the king in the day to day administration. The Vedic literature makes it quite clear that a king could succeed in maintaining himself on the throne only so long as his *samiti* or Popular Assembly was in agreement with him. If there was a disagreement, the views of the Assembly generally prevailed, and kings had to submit or abdicate and go into exile.

Central Assemblies, however, gradually disappeared in the post-Vedic period, not because democracy became more and more unsuitable to the Indian temperament, but because the state became bigger and bigger in size, rendering the meetings of a Central Assembly more and more impracticable. Had Asoka, Chandragupta or Harsha revived the Central Assembly, its members would have had to spend several weeks in reaching the capital in order to attend the Assembly meetings, and an equally long time in returning to their homes. The principle of representation was also unknown in those days both in the east and in the west.

It is possible to try the experiment of a limited and constitutional monarchy in the modern Indian states, if the popular

and representative Assemblies are allowed to function as in Vedic period.   Members of the princely order will have to remember that they will have to submit or abdicate and go into exile if they cannot carry their Assembly with them.   It is pleasing to note that the rulers of all the Indian states, which have not merged, have agreed to become constitutional rulers and to abide by the decisions of Representative Assemblies.

Effective popular central Assemblies being found practicable in the case of larger kingdoms, ancient Indian political thinkers tried to protect the interests of the people by recommending and bringing about a great decentralisation of the functions of the government.   Large powers were vested in the district, town and village administrations, which could be effectively supervised and controlled by local non-official councils.   In the Gupta period, the sale of even the waste lands owned by the state required the sanction of the popular district council.   The powers of town and village councils in ancient India were probably more extensive than those of similar bodies in any other polity, eastern or western, ancient or modern.   They collected the revenues on behalf of the Central Government, refused to collect oppressive taxes, settled village disputes, organised works of public utility, and often maintained and financed hospitals, poor houses and educational institutions.   It would be worth-while in the new Indian constitution to entrust larger and larger power to the district boards and local and village councils.   A word of warning, however, must be given.   The village councils worked successfully in the past because the people had a high regard for truth and character and were instinctively inclined to respect age, experience and ability.   Members of the village councils were not elected; they were raised to that position by the consensus of public opinion.   Democracy of the modern type involving voting and party alignments did not exist, and is new to India.   It presupposes wide spread of education, which must be immediately brought about.   Fear of God and hell which has now disappeared must be replaced by the sense of civic duty, which alone can now induce our elected representatives to place the good of the people they represent above everything else.

Village Panchayats of ancient India exercised wide judicial powers.   They decided practically all cases excepting those of serious crimes.   Life in ancient times was simple; judicial disputes were usually confined to local parties and transactions,

and the law to be administered was known to and understood by all. Modern law is complex and complicate and presupposes technical knowledge and assistance; parties to a dispute may often belong to distant places. Village Panchayats in modern times cannot, therefore, successfully exercise that wide civil jurisdiction which they did in the past. Nevertheless a beginning must be made by investing them with a limited civil jurisdiction. It will be difficult for witnesses to tell brand lies in the presence of their fellow residents in the Panchayat courts, with reference to events and transactions well known to the locality. The revival of the village Panchayat courts will no doubt secure speedier justice. There will be however, some uphill task. The faith in God and the dread of hell that helped the cause of justice in ancient times are rapidly dying out. Party factions are cropping up in villages due to illiteracy and selfishness. So until a proper sense of civic duty and responsibility is developed to replace the faith in God and fear of hell, there will be some difficulty in the successful working of the villge Panchayats.

Ancient India sought to solve the problem of the finance of the local bodies by localising a part of the land revenue. Most of the villages could get back about 15 to 20% of the proceeds of the land-tax, which they collected for the Central Government, as its contribution to the funds of the village councils. This experiment is well worth trying in modern times.

There can be no doubt that ancient Indian political thinkers had evolved excellent principles for taxation. The grounds on which remissions were sanctioned and exemptions granted were also as a rule sound. All will agree that the state should gather the taxes like the bee which sucks the honey without damaging the flower, that trade and industry should be taxed not on gross earnings, but on net profits, that an article should not be taxed twice; that the rise in taxation, when inevitable, should be gradual and so on. The principles of exemption were also sound. The original idea was to grant exemption only to learned but poor Brāhmaṇas, who used to impart free education. In some cases this privilege was abused, but the states usually did not fail to levy taxes on Brāhmaṇa traders and government servants. The cases where the whole Brāhmaṇa class was exempted were far and few between; we cannot and should not revive in modern times such a concession to any wholesale class determined solely by birth.

The taxation was usually determined by the local customs and traditions. In the later times, however, when the *samiti* disappeared from the scene, governments would often impose high and arbitrary taxes. We often find tugs of war between the central governments, which wanted to levy new and op-pressive taxes and the village Panchayats, which would refuse to collect them. Very often, however, power prevailed and justice went to the wall; we find villagers migrating *en masse* to escape unbearable taxation. There can be no doubt that in later times, the interests of the average man in the sphere of taxation were not adequately protected when a greedy tyrant was on the throne. This however happened primarily because there was no *samiti* or popular assembly in later times. The impor-tance of a strong and vigilant popular Assembly as a champion of popular rights and interests cannot be overemphasised.

The ancient Indian state was not merely a tax-gathering corporation, interested only in preserving law and order. It is pleasing and surprising to find that the state in ancient India should have interested itself in a number of ministrant activities of the nation-building type, which are being under taken by the modern governments only in relatively recent times. Individual enterprise and initiative was, however, not usually affected by the activities of the state, because it would usually utilise the services of commercial and industrial guilds to carry out its policy. Freedom was also given to experts to chalk out their own plans within certain reasonable limits, and the state would give them substantial subsidies to carry them out, if they contributed to further its nation-building activities. This undoubtedly is a pleasing characteristic of the ancient Indian polity. State for instance helped education merely by giving liberal grants to non-official colleges and universities; it did not care to dictate their policy or courses through a Director of Public Instruction. The growing sphere of state socialism threatens to create a conflict between the individual and the state in modern times. If the state seeks to materialise its plan and policy through the local bodies and trade guilds and organisations, as it did in ancient India, the interests of both are likely to be harmonised.

The ideals of the ancient Indian state were undoubtedly very high and all comprehensive. It sought to promote the moral, material, aesthetic and spiritual progress of the whole

community. Human ideas about the progress in these diffe-
rent spheres go on changing from age to age, and it is no wonder
that we may not be able to agree with all that the state in
ancient India did or countenanced in order to achieve progress
in this fourfold field. For instance, it gave a general support
to the *varṇāśramadharma*, which was undoubtedly iniquitous,
especially to the Sūdras and Untouchables. We must not, how-
ever, forget that a state is but the spokesman of the society it
represents; if certain iniquitous practices were tolerated by the
state in ancient India, the society is as much to blame as the
state. We should not judge ancient customs and institutions
by modern standards and ideals. People in those days had a
burning and living faith in the doctrine of Karma. Even
the Sūdras and Untouchables believed that they were born in
their particular caste as a natural result of certain sins commit-
ted by them in past lives. As a further consequence of the same,
some classes have certain religious and social disabilities imposed
upon them in this life as well, under the sanction of the divine
śāstras. It was impossible for the ancient Indian state even
to think of disallowing these disabilities, much less of removing
them. Equality of all citizens before the law did, therefore, not
exist in ancient India to a great extent. It is no doubt a sad
spectacle. We would all have felt prouder of our civilisation
if the Smṛiti writers had imposed a higher punishment on the
Brāhmaṇa culprit than on the Sūdra one, since they recognised
the sin of the former to be greater than that of the latter. We
should, however, not forget that such iniquities and inequalit-
ies existed in all civilisations, eastern and western, and have not
completely disappeared even in modern times. If the fine for
murdering a Sūdra is lighter than that for murdering a Brāh-
maṇa, we should not forget that the wergeld for the head
of a slave or serf was much smaller in Europe than that for
the head of a knight or landlord. Limited exemption from
taxation sometimes sanctioned by the ancient Indian state to
the Brāhmaṇas had its counter-part in the European polity,
where the church and nobility enjoyed many more unjust ex-
emptions down to the 18th century. Ancient Indian state
did no doubt not believe in affording opportunities to the
son of a cobbler to become a premier; but such a phenomenon
rarely occurred in ancient times, both in the west and the east.
It will have to be admitted however by ever impartial critic
that the ancient Indian state was not solicitous only for the
interests of the Brāhmaṇas; it tried to promote the material

and moral interests of all the castes; only it did not encourage one profession to trespass on the field of another; for society honestly belived that these fields were predetermined by birth.

The ideal of an all-India state under an emperor ruling over the territories from the Himalayas to the sea was recognised as early as *c.* 1000 B.C. if not earlier. There were, however, only few occasions in ancient Indian history when it was actually realised. The recognition of this ideal was probably a natural consequence of the realisation of the fundamental unity of India,—geographical, religious and cultural. The ancient Indian polity, however, laid down that the empire should not be at the cost of local autonomy, culture and institutions; it therefore laid down that the *chakravartin* or the emperor should remain content if his imperial status is recognised by the offer of a suitable tribute. He was not to annex the local, provincial or district kingdoms; even if the heads of the latter had been defeated or had died fighting, some relations of theirs were to be put on the throne on condition that they were willing to recognise the conqueror's suzerainty. Local laws, customs and traditions were never to be interfered with by the conqueror.

An all-India state powerful enough to bring about the unity of the country. and to defend it from foreign agression through a cooperative effort under the aegis of the Central Government but generous and considerate enough to permit the existence of local governments following their own customs and traditions and fostering their own culture and ideals was thus the ideal of the ancient Indian polity. Curiously enough it is very much allied to our present ideal of a strong and united India' with full autonomy to provinces. Let us therefore analyse a little more closely this ideal and find out its strong and weak points as disclosed by our ancient history.

The insistence of the political thinkers that a conqueror should allow the conquered king or state to retain his or its individuality in the feudal capacity undoubtedly produced many good results. It permitted local culture, traditions and political institutions to develop more or less unhampered. It toned down provincial and dynastic jealousies and animosities; for an ambitious province or kingdom could at most aim at imposing its more or less nominal suzerainty over its neighbour; it could never aim at crushing its culture or wiping out its separate

existence.　Warfare also tended to remain humane; neither side 'had the danger of being completely wiped out, if it was defeated; it therefore did not generally stoop to unchivalrous and unapproved methods to avert a defeat or win a victory.

While recognising that this ideal of an empire with a number of composite units governed by feudatory kings or republics had many good points about it, we cannot remain oblivious to certain injurious results that sprang from it.　The recommendation to recognise local autonomy by permitting the conquered king or state to continue in the feudatory capacity eventually stood in the way of effective unification of India. Most of the ancient Indian empires were merely loose federations of a number of feudal kingdoms held together by masterful personalities for a few decades.　Most of his feudatories were usually entertaining imperial ambitions; for the political thinkers recognised that it was but a natural thing that each feudatory should aspire to the imperial status for himself.　As a consequence big kingdoms and empires in ancient India were never in a state of equilibrium for a long time.　There was a constant tussle going on for the coveted position of a *chakra-vartin*.　It was the duty of each king to secure the expansion of his kingdom by attacking his neighbours when they were weak.　Feudatories were therefore usually on the look out for an opportunity to rebel against the imperial power.　Ninety percent of the wars in ancient Indian history would have been avoided if the ideal of the Chakravartin had not been recommended to every feudatory, and if its successful realiser had not been prevented from annexing the conquered state and compelled to permit it to continue to rule in the feudatory capacity.

Ancient Indian political thinkers probably thought that there was nothing wrong in this ideal.　Probably they felt that each king, state or province should have a sporting chance to be the leading state in the country at one time or another. Frequent wars no doubt thus became inevitable; they were, perhaps, felt to be necessary to keep up the martial spirit and traditions of the Kshatriyas.　It did not matter very much whether Pāṭaliputra, Kanauj or Avanti was to be the imperial capital of India.　Whatever province may be at the head of the empire, the culture, religion and language of the subordinate provinces did not suffer; for the conqueror was expressly required to respect and encourage local traditions, cultures and institutions.

Ancient Indians began to become growingly indifferent in the course of time to the necessity and desirability of a strong and stable central state. As monarchies became the order of the day from *c.* 400 A.D., the interstate struggles became dynastic wars for hegemony; people were not much interested in them because they knew that their local culture, laws and institutions would not be much affected, whatever may be the outcome of the struggle. Contending armies also fought not so much for their provinces as for their kings. There was hardly any patriotism in the real sense of the word. This ideal of federal-feudal empire, with full liberty to each constituent state to strike for the imperial status but without permission to forge a unitary empire after the conquest thus produced a state of continuous instability in ancient India. There were frequent wars, but they did not lead to the emergence of a strong and unitary state. The energy of the nation was unnecessarily wasted in interminable feuds, which only weakened the combatants. The country as a whole became weak and fell an easy prey to the Muslim invaders.

A glance at our history shows that India has prospered only when it had succeeded in evolving a strong central government. In the age of Aśoka, Chandragupta II, and Akbar India was able to make good progress because it had a strong Central Government. The same fact is at the root of the progress made during the last 100 years. We cannot afford to forget the lessons of history when we frame our new constitution. The principle which required a conqueror to continue the conquered state in the feudal status whith its old laws and customs unaffected is the modern principle of provincial autonomy in the ancient language and garb. It vouchsafes to every local unit full freedom to develop along its own lines and culture. But we cannot offord to give a standing permission to each province or state to have its own independent army and to make a bid for the hegemony over the rest, when it feels strong enough to do so. Our ancient political thinkers probably felt that such a permission should be regarded as fair in order that each state should have a sporting chance to be the leading power of Bhāratavarsha at some time or other. This was a natural consequence of there being no representative government at the centre, where each constituent state or province could feel that it had a fair and just share of power, influence and representation. With a popular government at the centre of

a representative character, modern polity can ill afford to permit the provinces or states to make a bid for all-India domination. Each province or state should have full autonomy and liberty to develop along its own lines, and to foster its own language and culture, but all will have to subordinate their separatist tendency in order to forge a strong Union Government at the centre, powerful enough to defend the motherland and capable enough to make India once more a mighty and flourishing country.

Om tatsad Brahmārpaṇamastu.

FINIS

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